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| <b>TO:</b>            | <b>CHAIR AND MEMBERS - PLANNING AND ENVIRONMENT COMMITTEE MEETING ON<br/>Monday, March 26, 2012 after 7:15 p.m.</b> |
| <b>FROM:</b>          | <b>JOHN FLEMING<br/>DIRECTOR OF LAND USE PLANNING AND CITY PLANNER</b>  |
| <b>SUBJECT:</b>       | <b>DOWNTOWN MASTER PLAN<br/>DOWNTOWN HERITAGE CONSERVATION DISTRICT PLAN</b>  |
| <b>RECOMMENDATION</b> |   |

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the direction given by Municipal Council on November 21, 2007 and the subsequent Official Plan review by the City of London relating to the creation of a Downtown Heritage Conservation District:

- i) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to designate the Downtown Heritage Conservation District under Part V (Section 41.(1)) of the Ontario Heritage Act;
- ii) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to amend Section 13.3.5 (Implementation- Heritage Conservation District Plans), amend Section 13.3.8 (Specific Heritage Conservation Districts) of the Official Plan to identify, add a character statement and add policies to include the Downtown Heritage Conservation District, amend Section 19.2.2 (Guideline Documents) of the Official Plan to include the Downtown Heritage Conservation Plan as a guideline document and amend Chapter 13 (Properties of Cultural Heritage Value or Interest Policies) to add a new Figure 13-5 to guide property owners and development activity within the boundaries of the District.

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| <b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b> |
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| 1. Monday, November 16, 2009 | Downtown Master Plan - Progress on Downtown Vision and Status Report on the Downtown Master Plan Process     |
| 2. Monday, November 8, 2010  | Draft Downtown Heritage Conservation District Background Study submitted to Planning Committee               |
| 3. Monday, February 14, 2011 | Downtown Heritage Conservation District Background Study completed and the Plan preparation process started. |
| 4. Monday, December 12, 2011 | Downtown Heritage Conservation District Plan to be circulated for public review                              |

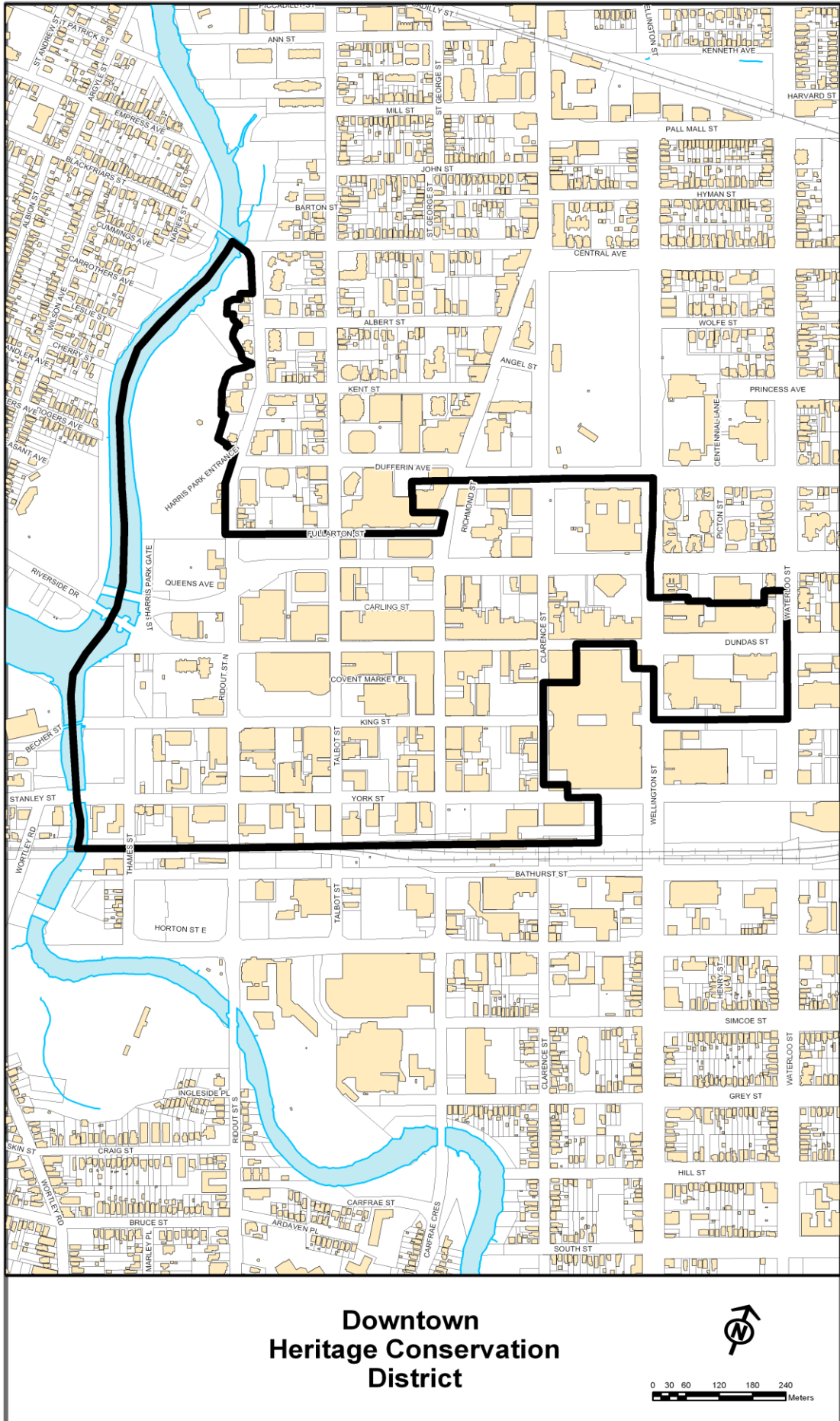
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| <b>BACKGROUND</b> |
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**Establishing a Heritage Conservation District**

Part V of the Ontario Heritage Act (2005) 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

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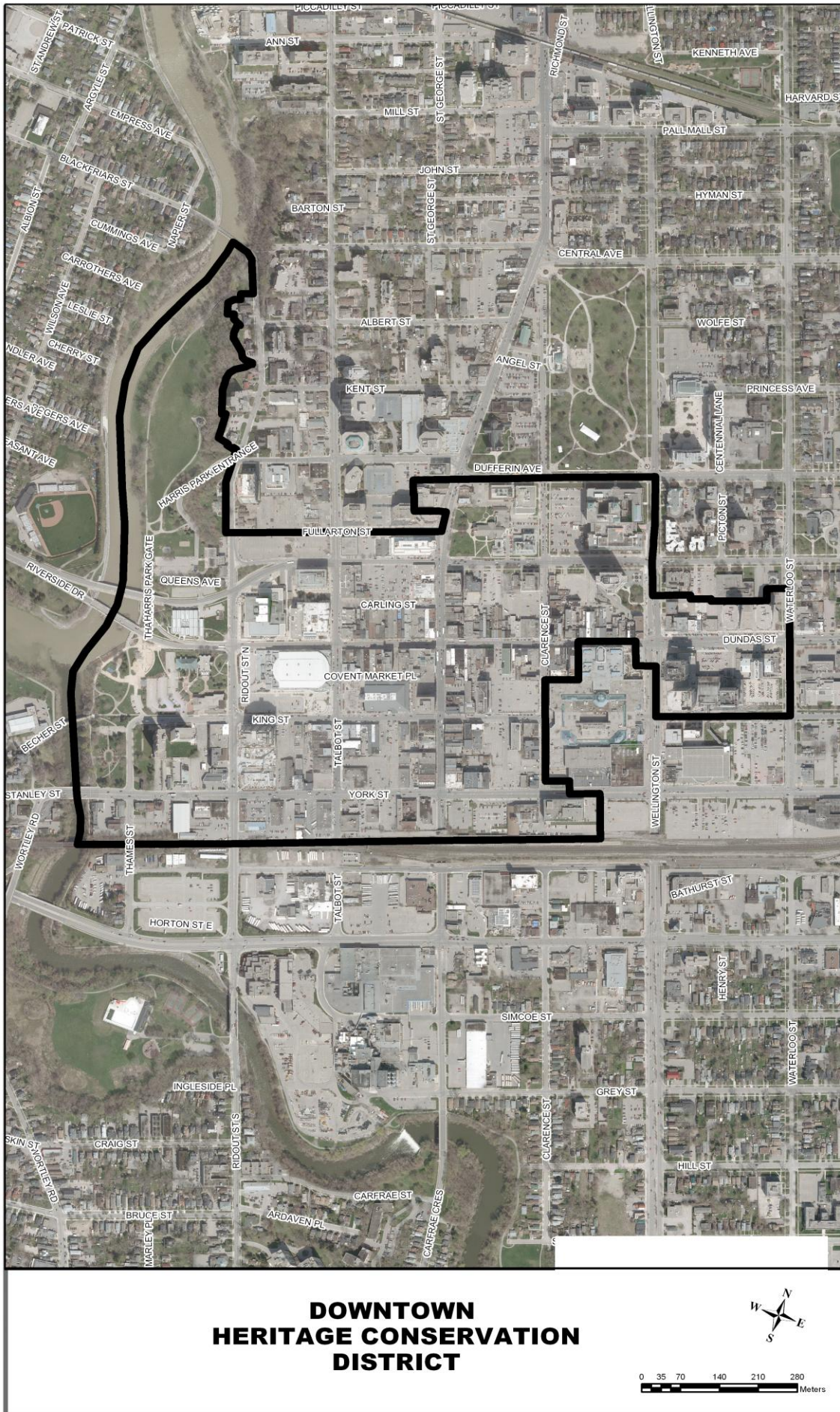
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development of the municipality considered worthy of preservation. The creation of such districts allows municipalities to manage change and development within the area so as to protect and enhance the heritage character there. Section 13.3 of the City of London Official Plan provides for the designation of heritage conservation districts in London under Part V of the Ontario Heritage Act and provides some detail relating to the process that is to be followed for such designation. Under these policies four residential areas of London have been designated as heritage conservation districts: East Woodfield (1993), Bishop Hellmuth (2003), Old East Village (2006) and West Woodfield (2009). The Wortley Village-Old South HCD is also currently in progress with expected completion in 2012. Downtown will be the first primarily commercial heritage conservation district in the City of London.

The City's Guideline document, *Heritage Places (1993)*, identified three specific areas in Downtown as potential heritage conservation districts; the Richmond Streetscape, the Ridout Street Restoration and the Dundas Street Corridor. In September 1996 a report entitled "The Creation of Heritage Conservation Districts in the Downtown Core" was prepared by LACH and reviewed by Planning Committee which presented various options for reviewing heritage resources in the Downtown; from individual designation to the creation of one heritage conservation district. Planning and heritage staff have always maintained that the heritage resources of Downtown should be reviewed as an entity, not as individual groupings or clusters of buildings.

### **The Downtown Heritage Conservation District Process to Date**

On November 21, 2007, as part of the Downtown Revitalization Strategy, Council directed that;

- ii) *a Terms of Reference for the creation of a Downtown Heritage Conservation District **BE PREPARED**, in consultation with the London Advisory Committee on Heritage, to establish the limits of a Downtown Heritage Conservation District and a Heritage Conservation District Plan and Guidelines, pursuant to Part V of the Ontario Heritage Act;....*

A Terms of Reference for the Downtown Master Plan, which included the Downtown Heritage Conservation District Plan as one of the component studies, was approved by Council on February 2, 2009. The process of hiring a consultant to undertake the Downtown Heritage Conservation District Study and Plan started in late 2009. A Request for Proposals (RFP) was circulated in November 2009 and Stantec Consulting was selected to complete both the study and final plan. The project team included;

|                 |                               |                    |
|-----------------|-------------------------------|--------------------|
| Dan Young       | Project Manager               | Stantec Consulting |
| Mike Baker      | Historian                     |                    |
| Ed Vandermaarel | Principal Architect           | SJMA Architecture  |
| Jim Vafiades    | Landscape Architect           | Stantec Consulting |
| Sylvia Behr     | Landscape Heritage Consultant |                    |

An initial start-up meeting with the consultants was held on April 22, 2010. The first initiative was the formation of a Steering Committee to oversee the preparation of the Downtown Heritage Conservation District Study and Plan. The Steering Committee members include:

|                         |   |
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| Greg Thompson           | Chair – Member of LACH                              |
| Judy Bryant             | Downtown Ward Councillor                            |
| Janette MacDonald       | Manager of Downtown London                          |
| Tom Bird                | Downtown Building Owner/Renovator                   |
| Joe O'Neil              | Member of LACH                                      |
| Sharon Hassan           | Building and Business Owner                         |
| Jack Malkin             | Representative of Property Owner/Interested Citizen |
| Jonathan Bancroft-Snell | Downtown Business Owner                             |

The Committee met for the first time with staff and the consultants on May 20, 2010. Planning staff and the consultants appeared at LACH on June 9, 2010 to discuss the overall Downtown Master Plan process and introduce them to the consulting team.



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To begin the process of preparing the **Downtown Heritage Conservation District Background Study** the Steering Committee met for the first time with staff and the consultants

On May 20, 2010. Additional meetings were held August 18, 2010 (Boundary) and January 11, 2011 (Draft Background Study). Subsequently, meetings were held on September 8, 2010 (Boundary) and November 10, 2010 (Draft Background Study) with LACH.

On November 8, 2010 the Draft Downtown Heritage Conservation District Background Study was submitted to Planning Committee (now Planning and Environment Committee) for review and on November 15, 2010 Council resolved;

23 *That, on the recommendation of the Director of Land Use Planning the Downtown Heritage Conservation District Background Study **BE CIRCULATED** to the public, landowners, agencies, the Downtown Heritage Conservation District Steering Committee and the London Advisory Committee on Heritage for review and comment."*

Living in the City notice was provided November 13, 2010 and the landowner notice was sent November 29, 2010. Both notices provided an update on the Downtown Master Plan process and indicated that the draft Downtown HCD document was available for viewing from the City's website. The Steering Committee met on January 11, 2011 to discuss the Background Study and LACH were provided copies of the report on November 10, 2010 and asked again for comments on January 12, 2011. On February 2, 2011 Planning Staff received the final Background Study from the consultants.

On February 14, 2011 the Built and Natural Environment Committee (BNEC) reviewed the Background Study and Council gave direction on February 28, 2011 to adopt the Background Study and begin preparation of the **Downtown Heritage Conservation District Plan**.

Plan preparation began immediately. A draft copy of the Plan was received September 2, 2011 and we met with the HCD Steering Committee on October 12, 2011 to present the Draft Plan. On December 12, 2011 the Draft Downtown HCD Plan was presented to the Planning and Environment Committee and on January 10, 2012 Council resolved;

7. *That, on the recommendation of the Director, Land Use Planning and City Planner, the draft Downtown Heritage Conservation District Plan **BE CIRCULATED** to the public, landowners, agencies and the London Advisory Committee on Heritage for review and comment prior to finalization and the holding of a public participation meeting.*

On December 14, 2011 Planning staff attended the LACH meeting to present the final Draft Plan and agreed to return on January 11, 2012 to answer any questions the Committee had.

### **The Public Process**

One of the goals of the Downtown Master Plan, which includes the creation of a Downtown Heritage Conservation District Plan, process which started in late 2008 was to engage as many people as possible who have an investment or interest in the Downtown and involve those who have not been involved. To date the City has compiled a list of over 300 public and 150 e-mail addresses which are sent updates and notices of meetings. In addition, in 2009 the City of London created a website which contains links to reports, public notices and other information related to the Downtown.

Specifically for the Downtown Heritage Conservation District Study and Plan, the goal was to notify approximately 1400 Downtown landowners and keep them updated on the process and provide access to draft reports and make them aware of any public meetings. On November 29, 2010 and December 22, 2011 two (2) letters were sent to over 1400 Downtown landowners providing an update on the Downtown Master Plan/Downtown Heritage Conservation District process, identifying the location of the website to review documents and public notices and providing contacts for any comments. In addition the City provided four (4) Living in the City notices (November 13, 2010, November 26, 2011, December 17, 2011 and December 24, 2011) in the Saturday edition of the London Free Press.

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**Comments Received on the Draft Downtown Heritage Conservation District Plan**

In response to the letter circulated on December 22, 2011, we received three (3) comments (see attached). A summary of the comments and our response is provided below.

1) Owner of 124 Dundas Street/123 Carling Street (Existing use-Popular Fashions/Vacant)

Indicated that he was generally in support of the HCD and approach but wanted to know any impacts on his building which was built in 2005 after the original heritage building was destroyed by fire. Staff indicated the front is not subject to a heritage alteration permit. The rear portion has the original painted sign on the wall and we would like to see that retained if possible.

2) New Owner of 199 Queens Avenue (Kent Marketing Services)

Recently purchased, new owner has some concerns about building being identified as a Rank of A in the HCD Plan. Staff indicated that it has been identified as a Priority 2 structure in the City of London Inventory of Heritage Resources since 2006. The new owner has no firm development plans and staff indicated they would like to see the building retained but are willing to discuss any proposals once their plans are more definitive. Bonusing for retention of heritage buildings is an option.

3) Architectural Researcher

Pleased the HCD Plan includes post-war, modernist buildings.

This is the extent of the submissions from two (2) letters sent to over 1400 landowners.

Given the low number of comments received, Planning staff, in consultation with the HCD Steering Committee, decided not to hold a landowners/community meeting, a meeting normally held in previous HCD public processes.

With regards to other comments, the Steering Committee and LACH had few issues with the format and introduction of the matrix. The matrix is included in the HCD Plan and serves as an easy reference for Downtown landowners and stakeholders to identify the heritage significance of each building and the heritage features worthy of retention. One issue that was reviewed was how to treat buildings built after 1970. Because historical features also includes architectural features, some buildings such as City Centre, the Provincial Court House, Bell building, 200 Queens Avenue, John Labatt Centre etc. have been ranked as “A” buildings in the matrix.

Another issue that was discussed was the extent to which the ground level of heritage buildings would be returned to an “older” look. Over time the ground level of buildings in the Downtown have been altered and changed many times, sometimes removing brick, bay windows, recessed entryways, steps etc. Is it appropriate to restore the former look? Planning and heritage staff, through meetings with land and business owners at the Façade Review Panel, have traditionally provided old photographs of buildings to try and encourage owners to consider restoring heritage features and some have been receptive. However, after some discussion LACH agreed with our approach to encourage restoration of the ground level as opposed to require it. They did agree with staff and the consultants that the upper levels of buildings are important and that more emphasis be placed on retaining and enhancing identified heritage features on these upper levels.

**The Purpose and Importance of the Downtown London Heritage Conservation District Plan**

The Downtown Heritage Conservation District Background Study and Plan are two of the five components of the Downtown Master Plan; the Downtown Master Plan Background Study, Downtown Master Plan and Downtown Urban Design Guidelines being the others. The Downtown Master Plan, Downtown Heritage Conservation District Plan and Downtown Urban Design Guidelines will serve as the guide for Downtown development over the next 20 years.

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The Heritage Conservation District Plan, along with any heritage conservation guidelines, needs to be completed first so that all Downtown stakeholders know what is important from a heritage standpoint and worthy of retention. Once that is established, the remainder of the Downtown Master Plan can be completed. Planning staff are continuing to work on the Downtown Master Plan and Downtown Urban Design Guidelines and expect a draft will be available for Committee review shortly following approval of the Downtown Heritage Conservation District Plan.

### **Features of the Heritage Conservation District Plan**

One of the key goals expressed to the consultants when the project began was to create a document which was easy to use and minimized the need to constantly “flip” back and forth through the document. A land owner, building owner, LACH or interested individual should be able to easily see if a building has heritage value, what features need to be retained on the building and if there are any heritage landscaping features in the front yard that need to be retained or enhanced. For the Downtown, the 2006 City of London Inventory of Heritage Resources doesn’t do this because all properties are listed by street address, not by location in the City.

The Downtown HCD Plan contains a discussion of Ontario Heritage Act conformity; principles, goals, and objectives; planning tools for implementation and heritage conservation district design guidelines. One of the unique features of this Heritage Conservation District Plan is the introduction of a block by block matrix of building information and heritage information. Because this is the first London Heritage Conservation District Plan in a commercial area a matrix was introduced to illustrate the complex information on individual buildings as clearly as possible. Each building was ranked and important heritage features identified.

### **The Heritage Character of Downtown**

The City of London, through its Official Plan, has provided Council with the means to designate Heritage Conservation Districts pursuant to the criteria established in the Ontario Heritage Act. The policies, as outlined within the Official Plan (Section 13.3.1.ii), include:

- 1) *the association of the area with a particular historical event or era that is unique to the community;*
- 2) *the presence of properties which are considered significant to the community as a result of their location or setting;*
- 3) *the presence of properties representing a design or method of construction which is considered to be of cultural heritage value or interest to the community, region, province, or nation;*
- 4) *the presence of properties which collectively represent a certain aspect of the development of the City which is worthy of maintaining; and,*
- 5) *the presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for the designation of a Heritage Conservation District, but which collectively are significant to the community.*

The Downtown London Heritage Conservation District Study completed as a precursor to this Plan, confirmed the presence and/or satisfaction of above criteria to justify and warrant the creation of the District.

The Plan provides a heritage, architectural and landscape character statement to justify the creation of the Downtown Heritage Conservation District. These include;

#### **1) Heritage Character Statement**

The buildings which comprise the Downtown London Heritage Conservation District each relate to one of five stages through which the Downtown evolved from its founding to the recent past. In the 19th and early 20th centuries the Downtown was the region’s commercial, industrial and service centre. Over time, the Downtown evolved into an office and retail centre, the latter of which has experienced significant decline since the 1980’s. The buildings, dating from each

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of several periods of growth and transition beginning in the 1830s, also reflect a variety of building styles and materials. A number of the structures represent individuals who were instrumental in the growth of the community and responsible for its role as a regional centre.

Several of these individuals have been commemorated through plaques and through references in Part IV Ontario Heritage Act building designations. Finally, many of the Downtown's buildings are the work of architects who were locally or nationally prominent in their day.

The structures that contribute to the significance of the HCD differ greatly in terms of scale and design because of the Downtown's long period of evolution. The significant building types that make up the district include public buildings, commercial structures, a small number of industrial survivors and a variety of financial service buildings. As well, the Downtown was a location for entertainment and public gatherings and was a nodal point for a number of roads and rail lines that linked London to other parts of the province and country. A smaller number of structures related to these themes survive.

Among the key public buildings still in existence are the 1920's former City Hall on Dundas Street and the London District Court House and administrative centre, which remains the home of the offices of the County of Middlesex. Public assembly points, such as the Duffield Block (213-215 Dundas Street) and the Mechanics' Institute (229-231 Dundas Street), relate to the Downtown's unique role as the centre of the city's political and social life for a number of decades. The Grand Theatre, Dominion Public Building (457 Richmond Street), and St. Paul's Cathedral are further examples of the concentration of key public buildings within the Downtown.

Commercial structures, largely concentrated on Richmond and Dundas Streets as well as Market Square, comprise a series of varied streetscapes through materials and design. Notable examples include: the Smallman and Ingram (149-151 Dundas Street) and Kingsmill Department stores; a series of three-storey blocks along Dundas and Richmond Streets from various periods in the evolution of the Downtown; and several unique stand-alone commercial structures such as the Scandrett Grocery (175-177 Dundas Street) and the Metropolitan Stores (140 Dundas Street) buildings which originally housed dry goods dealers. Industrial and wholesale structures developed in response to the road and rail systems running through the Downtown. Concentrated around York and Richmond, the former Warehouse District, a prime example is the terra cotta McMahan-Granger building (174-186 York Street).

The commercial, industrial and administrative functions of the Downtown brought a concentration of financial services to the area. As one of the largest concentrations of similar-use buildings today, they too reflect the prolonged periods of development. Jeffery's London Life, Cronyn's Huron and Erie/Canada Trust, and Ivey's Northern Life all left buildings representative of their respective rise to national significance. In most cases the financial service sector drew their investment funds from the Downtown's industries and wholesalers including J. W. Little's dry goods empire, the Hobbs glass works and the Joseph Smith Southern Cigar Factory, all of which built significant structures in the Downtown.

Today the structures comprising the Downtown London Heritage Conservation District are a good representation of the buildings that contained a variety of services, industries and commercial and financial enterprises that brought London to prominence across the country.

## **2) Architectural Character Statement**

For more than a century the Downtown was the centre of London's commercial, political, and industrial life. During that period, from about 1830 to 1930, immense changes occurred in building technology, transportation systems and in how products were made and distributed. Many of these changes are reflected in the Downtown's built form in such structures as elaborate warehouses, multi-storey office buildings and a variety of commercial structures. The transition through which a number of building types evolved during the 19th and 20th centuries can be followed using existing examples in the Downtown. The financial services industry, for example, can be followed from small Georgian-style banking houses, to a number of WWI-era



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bank branches, and on to a series of post-war office buildings and main branches. Key buildings from various periods in the evolution of other land uses are also part of the existing building stock. Hotels, wholesale warehouses and offices, and retail blocks are well represented. Industrial structures which once covered over a quarter of the Downtown are represented with examples from several periods. There are even a small number of residential structures still present.

The concentration of a variety of building types and their evolution over a long period of time have given rise to what are now some of the best examples of certain period styles in London. These include Georgian and Italianate commercial blocks, Art Deco office towers, and Beaux-arts and Post-modern office buildings. These landmark buildings are the work, over time, of a number of London's leading architects whose offices were often located in Downtown buildings. One of London's leading firms (c. 1870-1930) represented at different times by William Robinson, Thomas Tracey, George Durand and John Moore is well-represented in the Downtown. The John Watt and Victor Blackwell firm (1911-1945) and their subsequent partnerships were also quite active in the Downtown. Architects from Toronto and elsewhere have also contributed buildings to the Downtown such as John Ewart's courthouse and William Thomas's St. Paul's Cathedral.

The number of Downtown land uses and building types has created a variety in terms of style, materials, detailing and scale within each block. Surviving details from various periods including upper story windows, storefronts, and materials such as terrazzo pavements, stone and brick all contribute to unique streetscapes throughout the Downtown.

### 3) Landscape Character Statement

The heritage of Downtown London's landscape character is highly diverse and although it does not display a single dominant characteristic, its patterns are linked by common ideas and elements. The distinction of the landscape is the combined effect of traditional land patterns, streetscapes, gardens, parks, and open spaces which create a heritage character as well as "sense of place". In general, the landscape heritage is defined by a traditional street and vegetative pattern rather than singular elements. The landscape is characterized by the continuity of relative scale, material, texture, proportion of elements in relationship to those adjoining.

The Downtown London Heritage Conservation District lies predominantly within the area surveyed for the town site in 1826. The survey boundaries were Carling (which extended to the river) and Queens on the north (where it met a preexisting farm lot), Wellington on the east and the Thames River on the west. The Richmond Street alignment north of Fullarton Street as it moves in an easterly direction reflects the boundary of the original farm lot. This deflection is reflected and parallels that of Wharncliffe Road which followed the western limits of the lot. An area east of Wellington and north of Queens was added to the village of London in 1840 when it was first incorporated. The new survey provided for wider streets along Dundas and King Streets.

Successive civic improvements in the width of traffic lanes, the width of sidewalks, the introduction of services (sewer, electrical, steam, gas, cable) as well as curb, gutter and parking have moderately altered some of the road profiles but have not significantly impacted the overall street character. Within the district there are three predominant landscape spatial patterns with distinct landscape elements and architecture. These are related directly to historical residential, commercial and industrial/warehouse land uses.

As befits the city, the public open spaces in Downtown are some of the oldest in London. Court House Square and Covent Garden Market have both had public uses from early in the 19th century. The St. Paul's Cathedral lands were open in 1844 and still retain a portion of the original graveyard and headstones. The open space along the river surrounding the Forks of the Thames began to be assembled in the 1960s and was added to the Eldon House park land

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given to the City in 1960. Several historic views have been recorded in this district from specific vantage points in historic photos, postcards and publications. Mostly these have been views of landmark buildings and their settings. In Downtown London these views would include, the Armouries Building seen from the north-west corner of Waterloo and Dundas Street, the Middlesex County Courthouse seen from the intersection of Dundas and Ridout Street, the London Life Building from Victoria Park, St. Paul's Cathedral, and the view from Eldon House to St. Paul's bell tower.

These heritage, architectural and landscape character statements provide the basis for the establishment of the Downtown Heritage Conservation District.

### Land Use Designation and Zoning

Historically, the Official Plan designation and zoning applied to Downtown has not been conducive to retaining existing heritage buildings. The Downtown designation predesignates all Downtown properties at a floor area ratio (FAR) of 10:1 (10 floors covering entire property) for commercial uses and a density of 350 units per hectare for residential uses. The Downtown Area (DA) Zone, which implements the Official Plan designation, prezones the entire Downtown to a FAR of 6:1 for commercial uses and a height of 90 metres (approximately 23 storeys for commercial and 28 storeys for residential) for all new development in the Downtown. New residential is subject to a zoning by-law amendment to establish a site specific density or to exceed the maximums permitted in the zoning by-law. Site plan approval is required for all new development.

There are opportunities to retain heritage buildings through bonusing if proposed development exceeds the maximums permitted. Section 4.3 of Zoning By-law Z-1 includes bonusing clauses which allow a 25% increase in gross floor area (GFA) or decrease in parking required for commercial uses and one additional dwelling unit for every 15m<sup>2</sup> of heritage building retained to a maximum of 25% for residential uses. The amount of bonusing can be negotiated.

There is also a Heritage (HER) Zone in Zoning By-law Z-1 which has been applied to some buildings which have been designated under Part IV the Ontario Heritage Act. These include Eldon House, Middlesex County Courthouse, Grand Theatre, Mechanics Institute etc. No changes or additions are permitted except through the zoning by-law amendment process.

Given the completion of the Downtown Heritage Conservation District Study and Plan and the pending completion of the Downtown Master Plan and Downtown Urban Design Guidelines there is an opportunity to review both the Official Plan policies and zoning by-law regulations applied to Downtown to ensure they are not counterproductive to the Master Plan and HCD policies. There is also an opportunity to review approaches other municipalities use to influence Downtown development such as a Development Permit System, form based code etc.

### Process for Implementing Downtown Heritage Conservation District Plan

After the Plan is approved and put in place the primary means of implementation is through the Heritage Alteration Permit process. This process has been in place since 1993 and has been used for all Heritage Conservation Districts since East Woodfield. There is no cost involved but typically it is reviewed by the Heritage Planner and LACH and comments are provided. Comments are relayed to the applicant/owner and in instances where there are disagreements a report is prepared for Planning and Environment Committees review and then Council approval.

Heritage Alteration Permits are generally not required for repairs, painting and minor changes but some determination is generally needed. Because of the importance of the Downtown and the density/intensity of development normally requested, it is proposed that the determination of the need for a Heritage Alteration Permit be delegated to either the Director of Land Use Planning and City Planner or Manager- City Planning and Research, who is normally responsible for the review of Downtown issues, in the Downtown. The Heritage Planner would still review any proposal and prepare reports. In all previous Heritage Conservation District the need for a Heritage Alteration Permit has been determined by the Heritage Planner but the City is currently considering the option of delegating authority.

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**Recommendations**

1. **Include the Downtown Heritage Conservation District in Sections 13.3.5, 13.3.8 (Specific Heritage Conservation Districts) and 19.2.2 (Guideline Documents) of the Official Plan.**
2. **Council direct Planning Staff to review the Official Plan policies and zoning by-law regulations which apply to the Downtown to ensure they do not conflict with the provisions of the Downtown Heritage Conservation District Plan.**
3. **That Planning staff review the possible implementation of a Development Permit System, form based code or other approach to address the enhancement or retention of heritage resources.**
4. **Continue to pursue the identification and designation of significant heritage structures under Part IV of the Ontario Heritage Act and apply the Heritage (HER) Zone to these structures where appropriate.**
5. **The Heritage Planner should be an active review participant in the Official Plan amendment, zoning by-law amendment, site plan approval, minor variance and/or building permit processes within the boundaries of the Downtown HCD.**
6. **The Urban Design Review Panel should use the heritage conservation guidelines contained in the HCD Plan and/or Downtown Urban Design Guidelines to review proposals within the District.**
7. **That the consultant’s recommendations on specific heritage features (eg. Facades, roofs, landscaping etc.) be reviewed and incorporated into the proposed Downtown Design Guidelines.**
8. **The HCD Plan should be used during the consideration of incentive program application review.**
9. **That the Director of Land Use Planning and City Planner and/or Manager – City Planning and Research be delegated authority to determine the need for a Heritage Alteration Permit in the Downtown if a delegation of authority is to be considered.**

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| <b>PREPARED BY:</b>   | <b>SUBMITTED BY:</b>  |
|   |   |
| <b>W. J. CHARLES PARKER<br/>SENIOR PLANNER – CITY PLANNING<br/>AND RESEARCH</b> | <b>GREGG BARRETT<br/>MANAGER – CITY PLANNING AND<br/>RESEARCH</b> |
| <b>RECOMMENDED BY:</b>  |   |
|   |   |
| <b>JOHN FLEMING<br/>DIRECTOR OF LAND USE PLANNING AND CITY PLANNER</b>          |   |

March 13, 2012

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**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2012

By-law No. L.S.P.- \_\_\_\_

A by-law to designate a heritage conservation district known as Downtown.

WHEREAS pursuant to Subsection 41(1) of *the Ontario Heritage Act*, R.S.O.1990,c 0/18, the Council of the 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 force 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 April 10, 2012

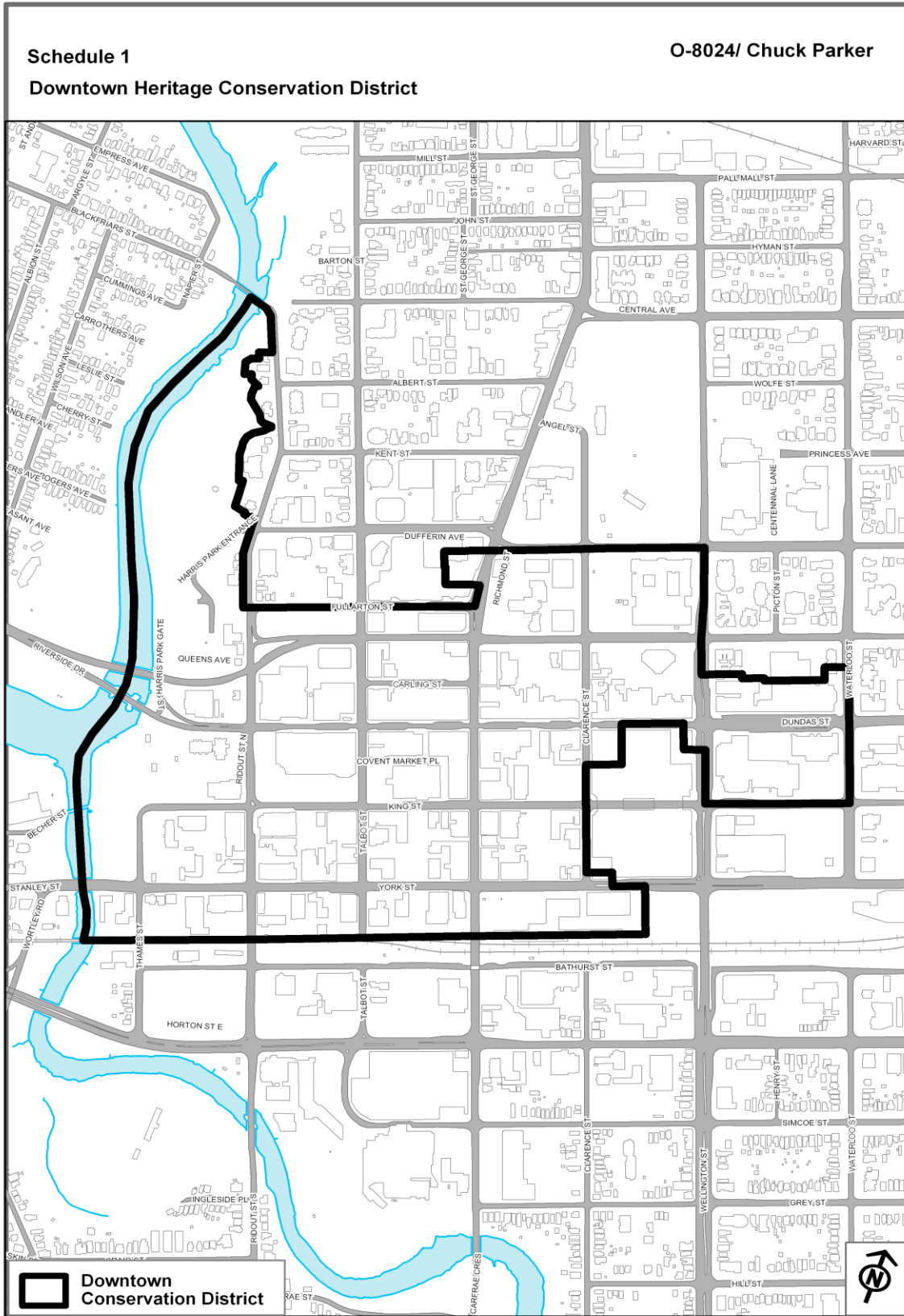
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – April 10, 2012  
Second Reading – April 10, 2012  
Third Reading – April 10, 2012



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**Appendix "B"**

Bill No. (number to be inserted by Clerk's Office)  
2012

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 add the Downtown Heritage Conservation District.

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

1. Amendment No. \_\_\_\_\_ to the Official Plan for the City of London Planning Area – 1989, as contained in the text and on "Figure 13-5" 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 April 10, 2012

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – April 10, 2012  
Second Reading – April 10, 2012  
Third Reading – April 10, 2012

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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 the Downtown 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**

1. This Amendment applies to lands located within the Downtown Heritage Conservation District which is shown on the attached "Figure 13-5" in the City of London.

**C. BASIS OF THE AMENDMENT**

Part V of the Ontario Heritage Act (2005) 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 in London under Part V of the Ontario Heritage Act and provides some detail relating to the process that is to be followed for such designation. Downtown will be the first primarily commercial heritage conservation district in the City of London.

The City's Guideline document, *Heritage Places*, identified three specific areas in Downtown as potential heritage conservation districts in 1993; the Richmond Streetscape, the Ridout Street Restoration and the Dundas Street Corridor. In September 1996 a report entitled "The Creation of Heritage Conservation Districts in the Downtown Core" was prepared by LACH and reviewed by Planning Committee which presented various options for reviewing heritage resources in the Downtown; from individual designation to the creation of one heritage conservation district. Planning and heritage staff have always maintained that the heritage resources of Downtown should be reviewed as an entity, not as individual groupings or clusters of buildings.

By Council resolution dated November 21, 2007 Council directed that a Downtown Heritage Conservation District process begin. A consultant was hired to complete both the Background Study and Plan. A Downtown Heritage Conservation District Steering Committee was formed and consultations were held with the London Advisory Committee on Heritage (LACH), landowners, agencies and other City departments and the public. The review process included seven (7) meetings with LACH, five (5) meetings with the Steering Committee, three (3) meetings with Planning Committee/BNEC/PEC, five (5) Living in the City notices and two (2) individual letters sent to approximately 1400 landowners in the Downtown.

Throughout the process the LACH expressed its support for the establishment of a Downtown Heritage Conservation District.

**The Purpose and Importance of the Heritage Conservation District Plan**

The Downtown Heritage Conservation District Background Study and Plan are two of the five components of the Downtown Master Plan; the Downtown Master Plan Background Study, Downtown Master Plan and Downtown Urban Design Guidelines being the others. The Downtown Master Plan, Downtown Heritage Conservation District Plan and Downtown Urban Design Guidelines will serve as the guide for Downtown development over the next 20 years.

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The Heritage Conservation District Plan, along with any heritage conservation guidelines, needs to be completed first so we know what is important from a heritage standpoint and worthy of retention. Once that is established, the remainder of the Downtown Master Plan can be completed.

### **The Heritage Character of Downtown**

The City of London, through its Official Plan, has provided Council with the means to designate Heritage Conservation Districts pursuant to the criteria established in the Ontario Heritage Act. The policies, as outlined within the Official Plan (Section 13.3.1.ii), include:

- 1) *the association of the area with a particular historical event or era that is unique to the community;*
- 2) *the presence of properties which are considered significant to the community as a result of their location or setting;*
- 3) *the presence of properties representing a design or method of construction which is considered to be of cultural heritage value or interest to the community, region, province, or nation;*
- 4) *the presence of properties which collectively represent a certain aspect of the development of the City which is worthy of maintaining; and,*
- 5) *the presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for the designation of a Heritage Conservation District, but which collectively are significant to the community.*

The Downtown London Heritage Conservation District Study completed as a precursor to this Plan, confirmed the presence and/or satisfaction of above criteria to justify and warrant the creation of the District.

The Downtown Heritage Conservation District Plan provides a heritage, architectural and landscape character statement to justify the creation of the Downtown Heritage Conservation District. These include;

### **Heritage Character Statement**

The buildings which comprise the Downtown London Heritage Conservation District relate to one of five stages through which the Downtown evolved from its founding to the recent past. In the 19th and early 20th centuries the Downtown was the region's commercial, industrial and service centre. Over time, the Downtown evolved into an office and retail centre, the latter of which has experienced significant decline since the 1980's. The buildings, dating from each of several periods of growth and transition beginning in the 1830s, also reflect a variety of building styles and materials. A number of the structures represent individuals who were instrumental in the growth of the community and responsible for its role as a regional centre. Several of these individuals have been commemorated through plaques and through references in Part IV Ontario Heritage Act building designations. Finally, many of the Downtown's buildings are the work of architects who were locally or nationally prominent in their day.

The structures that contribute to the significance of the HCD differ greatly in terms of scale and design because of the Downtown's long period of evolution. The significant building types that make up the district include public buildings, commercial structures, a small number of industrial survivors and a variety of financial service buildings. As well, the Downtown was a location for entertainment and public gatherings and was a nodal point for a number of roads and rail lines that linked London to other parts of the province and country. A smaller number of structures related to these themes survive.

Among the key public buildings still in existence are the 1920's former City Hall on Dundas Street and the London District Court House and administrative centre, which remains the home of the offices of the County of Middlesex. Public assembly points, such as the Duffield Block (213-215 Dundas Street) and the Mechanics' Institute (229-231 Dundas



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Street), relate to the Downtown's unique role as the centre of the city's political and social life for a number of decades. The Grand Theatre, Dominion Public Building (457 Richmond Street, and St. Paul's Cathedral are further examples of the concentration of key public buildings within the Downtown.

Commercial structures, largely concentrated on Richmond and Dundas Streets as well as Market Square, comprise a series of varied streetscapes through materials and design. Notable examples include: the Smallman and Ingram (149-151 Dundas Street) and Kingsmill Department stores; a series of three-storey blocks along Dundas and Richmond Streets from various periods in the evolution of the Downtown; and several unique stand-alone commercial structures such as the Scandrett Grocery (175-177 Dundas Street) and the Metropolitan Stores (140 Dundas Street) buildings which originally housed dry goods dealers. Industrial and wholesale structures developed in response to the road and rail systems running through the Downtown. Concentrated around York and Richmond, the former warehouse district, a prime example is the terra cotta McMahan-Granger building (174-186 York Street).

The commercial, industrial and administrative functions of the Downtown brought a concentration of financial services to the area. As one of the largest concentrations of similar-use buildings today, they too reflect the prolonged periods of development. Jeffery's London Life, Cronyn's Huron and Erie/Canada Trust, and Ivey's Northern Life all left buildings representative of their respective rise to national significance. In most cases the financial service sector drew their investment funds from the Downtown's industries and wholesalers including J. W. Little's dry goods empire, the Hobbs glass works and the Joseph Smith Southern Cigar Factory, all of which built significant structures in the Downtown.

Today the structures comprising the Downtown London Heritage Conservation District are a good representation of the buildings that contained a variety of services, industries, commercial and financial enterprises that brought London to prominence across the country.

### **Architectural Character Statement**

For more than a century the Downtown was the centre of London's commercial, political, and industrial life. During that period, from about 1830 to 1930, immense changes occurred in building technology, transportation systems and in how products were made and distributed. Many of these changes are reflected in the Downtown's built form in such structures as elaborate warehouses, multi-storey office buildings and a variety of commercial structures. The transition through which a number of building types evolved during the 19th and 20th centuries can be followed using existing examples in the Downtown. The financial services industry, for example, can be followed from small Georgian-style banking houses, to a number of WWI-era bank branches, and on to a series of post-war office buildings and main branches. Key buildings from various periods in the evolution of other land uses are also part of the existing building stock. Hotels, wholesale warehouses and offices, and retail blocks are well represented. Industrial structures which once covered over a quarter of the Downtown are represented with examples from several periods. There are even a small number of residential structures still present.

The concentration of a variety of building types and their evolution over a long period of time have given rise to what are now some of the best examples of certain period styles in London. These include Georgian and Italianate commercial blocks, Art Deco office towers, and Beaux-arts and Post-modern office buildings. These landmark buildings are the work, over time, of a number of London's leading architects whose offices were often located in Downtown buildings. One of London's leading firms (c. 1870-1930) represented at different times by William Robinson, Thomas Tracey, George Durand and John Moore is well-represented in the Downtown. The John Watt and Victor Blackwell firm (1911-1945) and their subsequent partnerships were also quite active in the Downtown. Architects from

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Toronto and elsewhere have also contributed buildings to the Downtown such as John Ewart’s courthouse and William Thomas’s St. Paul’s Cathedral.

The number of Downtown land uses and building types has created a variety in terms of style, materials, detailing and scale within each block. Surviving details from various periods including upper story windows, storefronts, and materials such as terrazzo pavements, stone and brick all contribute to unique streetscapes throughout the Downtown.

**Landscape Character Statement**

The heritage of Downtown London’s landscape character is highly diverse and although it does not display a single dominant characteristic, its patterns are linked by common ideas and elements. The distinction of the landscape is the combined effect of traditional land patterns, streetscapes, gardens, parks, and open spaces which create a heritage character as well as “sense of place”. In general, the landscape heritage is defined by a traditional street and vegetative pattern rather than singular elements. The landscape is characterized by the continuity of relative scale, material, texture, proportion of elements in relationship to those adjoining.

The Downtown London Heritage Conservation District lies predominantly within the area surveyed for the town site in 1826. The survey boundaries were Carling Street (which extended to the river) and Queens Avenue on the north (where it met a pre-existing farm lot), Wellington Street on the east and the Thames River on the west. The Richmond Street alignment north of Fullarton Street as it moves in an easterly direction reflects the boundary of the original farm lot. This deflection is reflected and parallels that of Wharncliffe Road which followed the western limits of the lot. An area east of Wellington and north of Queens was added to the village of London in 1840 when it was first incorporated. The new survey provided for wider streets along Dundas and King Streets.

Successive civic improvements in the width of traffic lanes, the width of sidewalks, the introduction of services (sewer, electrical, steam, gas, cable) as well as curb, gutter and parking have moderately altered some of the road profiles but have not significantly impacted the overall street character. Within the district there are three predominant landscape spatial patterns with distinct landscape elements and architecture. These are related directly to historical residential, commercial and industrial/warehouse land uses.

As befits the city, the public open spaces in Downtown are some of the oldest in London. Court House Square and Covent Garden Market have both had public uses from early in the 19<sup>th</sup> century. The St. Paul’s Cathedral lands were open in 1844 and still retain a portion of the original graveyard and headstones. The open space along the river surrounding the Forks of the Thames began to be assembled in the 1960s and was added to the Eldon House park land given to the City in 1960.

Several historic views have been recorded in this district from specific vantage points in historic photos, postcards and publications. Mostly these have been views of landmark buildings and their settings. In Downtown London these views would include, the Armouries Building seen from the north-west corner of Waterloo and Dundas Street, the Middlesex County Courthouse seen from the intersection of Dundas and Ridout Street, the London Life Building from Victoria Park, St. Paul’s Cathedral, and the view from Eldon House to St. Paul’s bell tower.

These heritage, architectural and landscape character statements provide the basis for the establishment of the Downtown Heritage Conservation District.

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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 13-5” after the phrase “Figure 13-4” 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 13-5 Downtown Heritage Conservation District after Figure 13-4.
3. Section 13.3.8 to the Official Plan is amended by adding a new section as follows;

**“13.3.8. \_ Downtown”**

The Downtown Heritage Conservation District, identified on Figure 13-5, encompasses a portion of the Downtown as defined by the Official Plan in Figure 4-1. The Downtown Heritage Conservation District Background Study assessed the heritage resources within the Downtown boundaries and determined that the greatest concentration of important buildings was contained within the area defined in Figure 13-5.

The Downtown is the administrative, cultural and commercial centre of the City of London and has been since the City was founded in 1826. It contains the greatest collection and variety of buildings in the City. Entire streetscapes especially along Richmond Street and portions of Dundas Street are still present.

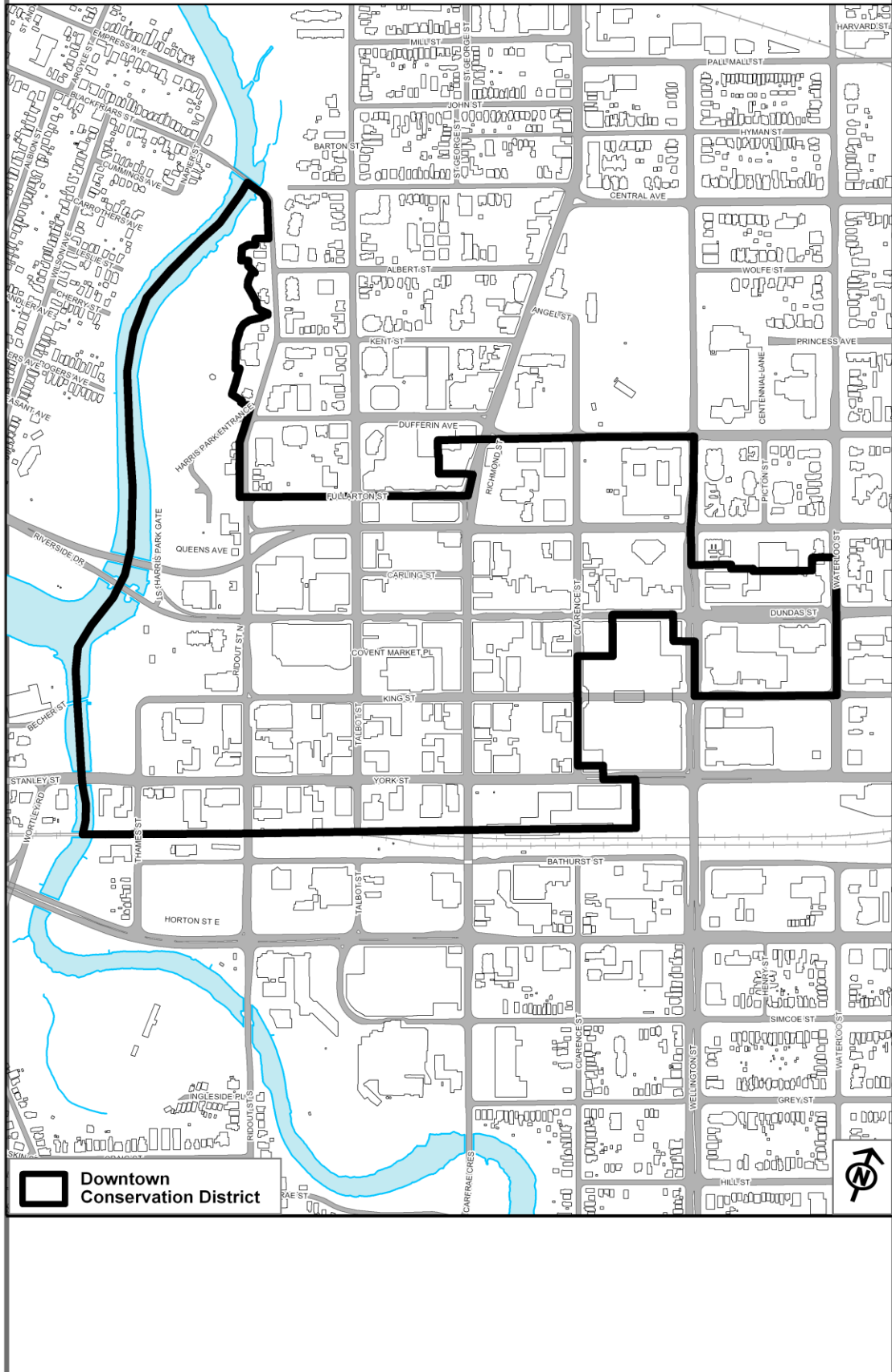
The Downtown Heritage Conservation District Plan identifies and prioritizes all the heritage buildings within the boundary and identifies the heritage features of each that should be retained and enhanced. It also provides guidelines on methods to do this.

It is the intent of Council to maintain, protect and conserve the Downtown Heritage Conservation District. Council shall have regard to Official Plan policies as they apply to heritage conservation districts in Section 13.3 and, in accordance with Official Plan policies and the Downtown Heritage Conservation District Plan.

4. Section 19.2.2 (ii) of the Official Plan for the City of London is amended by adding the following subsection;
  - \_ ) Downtown Heritage Conservation District Plan

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**FIGURE 13.5**  
**DOWNTOWN HERITAGE CONSERVATION DISTRICT**





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