

--	--

HAP 16-021-L
K. Gonyou

TO:	CHAIR AND MEMBERS LONDON ADVISORY COMMITTEE ON HERITAGE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	HERITAGE ALTERATION PERMIT APPLICATION BY: CITY OF LONDON, WEST LONDON DYKE BLACKFRIARS/PETERSVILLE HERITAGE CONSERVATION DISTRICT JULY 6, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the West London Dyke, located within the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** as submitted with the following terms and conditions:

- a) An arborist report be prepared to identify existing species of trees to be removed and provide recommendations for replacement species in accordance with the policies and guidelines of the Blackfriars/Petersville HCD Plan;
- b) New vegetation added to the greenway conform to the policies and guidelines of the Blackfriars/Petersville HCD, particularly for native and non-invasive plant species;
- c) Documentation of the West London Dyke be undertaken to contribute to the archival record of this important piece of civic infrastructure. Documentation should be submitted to the Heritage Planner and should include:
 - i) Photographic documentation of the existing condition of the West London Dyke, (including railings, concrete sloped wall, and surrounding environment);
 - ii) Measured drawings or 3D digital modelling to maintain a record of the historic structure; and,
 - iii) Photographic documentation of the construction activities associated with the West London Dyke at regular intervals.
- d) Existing, historic railings from the West London Dyke be salvaged and made available to community members for installation as decorative features preferably within the Blackfriars/Petersville Heritage Conservation District; and,
- e) Implementation of cultural heritage interpretive signage or public art that commemorates the history of the West London Dyke, historic flooding in London, flood control measures, and the Blackfriars/Petersville Heritage Conservation District along the West London Dyke be encouraged. It being noted that topics should not be duplicated between cultural heritage interpretive signage within Harris Park.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

February 2, 2016. Report to Civic Works Committee. West London Dyke Master Repair Plan Municipal Class Environmental Assessment Study.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended action is to permit the alteration of the West London Dyke, located within the Blackfriars/Petersville Heritage Conservation District (HCD), in accordance with Section 42 (2.1) of the *Ontario Heritage Act*.

--	--

HAP 16-021-L
K. Gonyou

BACKGROUND

The West London Dyke is approximately 2,300 metres in length and runs along the west bank of the north branch of the Thames River between Cavendish Park and Oxford Street West. It forms the eastern boundary of the Blackfriars/Petersville HCD. The portion of the West London Dyke subject to this Heritage Alteration Permit application spans between Rogers Avenue and Carrothers Avenue (Appendix A); the portion between the Queens Avenue Bridge and Rogers Avenue was replaced in 2007 (prior to the designation of Blackfriars/Petersville Heritage Conservation District under the *Ontario Heritage Act* on May 15, 2015). The Thames River is a Canadian Heritage River.

History of the West London Dyke

As a river-settlement, London has been prone to flooding disasters. A major flood on July 12, 1883 had a significant impact on the development of London: it altered the course of the Thames River (resulting in what is now Gibbons Park) and prompted civic infrastructure projects to control the Thames River. The construction of the West London Dyke began in the late 1880s and was the first of several dykes that were built in what would become London (Appendix B).

On April 26-27, 1937, during a substantial rain event, the Thames River rose over its banks resulting in the flooding of low lying areas of London including Petersville, Broughdale, and Front Street. Five deaths were attributed to the flood, and an estimated 1,100 homes were ruined. The Upper Thames River Conservation Authority was created to help manage natural hazards in the London region. In 1952, Fanshawe Dam was constructed to control levels of the Thames River. For more historical information, please refer to Section 2 of the Heritage Impact Statement (Appendix C).

The West London Dyke is a major part of the City's flood protection system. The West London Dyke is owned by the City of London and maintained through an agreement with the Upper Thames River Conservation Authority. A portion of the West London Dyke was replaced in 2007 and subsequently a Master Repair Plan Environmental Assessment was undertaken for the remaining portions of the West London Dyke. Stantec Consulting Ltd. was retained in 2009 to complete this Master Repair Plan, which is intended to cover the next 20 year period to address aging infrastructure, flood protection, public use, and integration of other City initiatives. The Master Repair Plan was placed on hold in early 2013 while detailed work was undertaken to confirm the design flood elevation; the Master Repair Plan was completed in 2015.

HERITAGE ALTERATION PERMIT APPLICATION

Pursuant to Section 7.13 of the *B/P HCD Plan & Guidelines* and Section 41.2(1)(a) of the *Ontario Heritage Act*, public works in the Blackfriars/Petersville HCD are required to obtain Heritage Alteration Permit approval.

A Heritage Alteration Permit application was submitted on June 23, 2016 for the portion of the West London Dyke between Rogers Avenue and Carrothers Avenue. The applicant has applied for a Heritage Alteration Permit to:

- Remove the existing West London Dyke (including concrete retaining wall, railings, and pathway with tree and vegetation removal); and,
- Build a new West London Dyke with the following details:
 - New vertical modular block wall with geogrid reinforcement;
 - New aluminium railing system;
 - New asphalt greenway paths;
 - Landscape features at the terminuses of Cherry Street, Leslie Street, and Carrothers Street; and,
 - Replacement of removed trees.

--	--

HAP 16-021-L
K. Gonyou

The intent of the proposed alteration is to continue the replacement program of the West London Dyke that was initiated in 2007. A Heritage Impact Statement, completed as part of the West London Dyke Master Repair Plan, is included as Appendix C of this report.

The City Planner is required to consult with the LACH in situations where a Heritage Alteration Permit application satisfies one or more of the Conditions for Referral defined in the Delegated Authority By-law. Conditions for Referral include a complex, sensitive, or contentious application which is considered to include alterations to significant heritage attributes, including those with high public profile such as the West London Dyke. This application was therefore referred to the LACH for consultation.

Heritage Impact Statement

A review of cultural heritage resources was undertaken as part of the West London Dyke Master Repair Plan, which included a Cultural Heritage Evaluation Report (CHER). The CHER confirmed the cultural heritage value or interest of 28 properties located within the study area, which are designated under Part V of the *Ontario Heritage Act* as part of the Blackfriars/Petersville HCD, as well as Harris Park in the Downtown HCD (adjacent). The CHER recommended that a Heritage Impact Statement (HIS) be prepared to articulate the impacts to those cultural heritage resources and provide recommendations to mitigate potential adverse impacts.

The HIS (see Appendix C) assesses the impact of the proposed replacement of the West London Dyke against the cultural heritage value or interest of each of the 28 properties, as well as impacts on the broader Blackfriars/Petersville HCD and Downtown HCD.

The HIS determined that the proposed replacement of the West London Dyke would impact the following heritage attributes of the Blackfriars/Petersville HCD:

- Long viewsheds along the narrow streets that terminate with views of the Thames River Dyke system;
- Associated greenways along the Thames River Dyke system;
- Public greenspaces and parks; and,
- West London Dyke.

The replacement of the West London Dyke will result in the loss of the following heritage attributes of the West London Dyke:

- Concrete construction;
- Tall sloping concrete wall;
- Public walkway system along the top west side; and,
- Low open railing system that allows for views of the Thames River.

There are no anticipated impacts on individual properties adjacent or nearby the study area for this phase of the West London Dyke project. There are no anticipated impacts on the cultural heritage value or interest of the Downtown HCD.

Regarding the impact of the loss of the heritage fabric of the West London Dyke itself, the HIS states,

“The removal and replacement of the 300 metre section of the Dyke proposed is recognized as a necessary undertaking to maintain the flood protection safety of the surrounding area. The replacement of the feature removes older sections of the Dyke that have been modified over time. The proposed new structure is distinct from the historic concrete of the older sections of the Dyke, and does not attempt to recreate the older feature. Impacts to attributes of the Blackfriars/Petersville HCD require mitigation consistent with the Blackfriars/Petersville HCD policies and guidelines” (p.7.1).

To mitigate the loss and adverse impact on heritage attributes, noted above, the following mitigation measures were recommended by the Heritage Impact Statement:

- “It is recommended that an arborist report be prepared to identify the existing tree species of trees to be removed from the greenway and make recommendations for appropriate

--	--

HAP 16-021-L
K. Gonyou

plantings. Vegetation to be removed for construction and replacement activities should be replaced with the same species, in accordance with the Blackfriars/Petersville HCD, wherever possible;”

- “It is recommended that new vegetation to be added to the greenway conform to the Blackfriars/Petersville HCD policies and guidelines, notably those for public spaces that suggest native and non-invasive plant species;”
- “It is recommended that documentation and salvage of the current Dyke structure and existing railings, respectively, be undertaken prior to construction activities. This should include a photographic record of the West London Dyke and opportunities for community re-use of any railing materials;” and,
- “It is recommended that opportunities for interpretive signage along the greenway be explored to commemorate the history of the West London Dyke, historic floods and flood control measures, and the Blackfriars/Petersville neighbourhood.”

ANALYSIS

Provincial Policy Statement

The *Provincial Policy Statement (2014)* 2.6.1 directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved”. Properties included in the Downtown HCD are considered to be significant within the context. “Conserved” is defined in the *Provincial Policy Statement (2014)* as “the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*”.

Ontario Heritage Act

Section 41.2(1) of the *Ontario Heritage Act* requires public works within a Heritage Conservation District to be compliant with the objectives of the applicable Heritage Conservation District Plan.

Strategic Plan

The Strategic Plan for the City of London 2015-2019 identifies heritage conservation as an integral part of “Building a Sustainable City.”

Official Plan

London’s *Official Plan* policy 13.3.2 requires that “after a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the *Ontario Heritage Act* and any secondary plan which takes the form of a Heritage Conservation District Plan.”

Blackfriars/Petersville HCD Plan & Guidelines

The West London Dyke is a significant heritage attribute of the Blackfriars/Petersville HCD. Its significance lies in both its function to ensure the safety of residents as a mode of flood protection, but also in its contextual qualities and influence on the built form and landscape of Blackfriars/Petersville HCD.

Goals of the *Blackfriars/Petersville HCD Plan & Guidelines* encourage the retention and maintenance of significant streetscapes and landscape features that contribute to the area’s cultural heritage value, including relationships to the West London Dyke. When considering alterations to the West London Dyke, consideration of these contextual relationships is integral.

Section 7.9 of the *Blackfriars/Petersville HCD Plan & Guidelines* addresses the lands along the west bank of the Thames River. It notes, “the relationship of the Thames River is of particular importance to the history of the Blackfriars/Petersville Heritage Conservation District” (p.29). The policies of Section 7.9 were used in the analysis of the proposed alterations to the West London Dyke:

Section 7.9 Open Space Area

--	--

HAP 16-021-L
K. Gonyou

Policy	Analysis
a) Views to the Thames River and associated dyke should be preserved;	<p>The proposed replacement of the West London Dyke will have an adverse impact on views to the Thames River, as noted by the Heritage Impact Statement (see Appendix C). Impacts to the views to the Thames River and associated dyke are largely the result of the loss of vegetation. To mitigate this loss, replacement vegetation compliant with the policies and guidelines of the Blackfriars/Petersville HCD is recommended.</p> <p>The replacement of the railing of the West London Dyke will have an impact on the views of the Thames River. The existing railings are believed to be a safety hazard and should be replaced. It is recommended that the existing railings be documented prior to removal and made available for community reuse. The proposed replacement railings include the opportunity to install interpretive or public art panels.</p>
b) Labatt Park, previously protected under Part IV of the <i>Ontario Heritage Act</i> , shall be conserved as a landmark with associative community value and recreational amenities;	While the parking lot at Labatt Park will be used as a staging area for the construction activities of the West London Dyke replacement, there will be no long-term adverse impacts to the cultural heritage value or interest of Labatt Park.
c) The public green space network along the Thames River shall be protected, maintained, enhanced, and recognized as a prominent gateway feature making the arrival to the Blackfriars/Petersville Heritage Conservation District from the south and east;	The proposed alteration of the West London Dyke will have short-term adverse impacts on the public greenspace network along the Thames River, particularly during the construction phase. To mitigate this, enhancements to the pathway system and replacement vegetation compliant with the policies and guidelines of the Blackfriars/Petersville HCD is recommended.
d) Landscaped areas and mature vegetation should be conserved as heritage attributes; and,	There will be adverse impacts to the landscaped areas adjacent to the West London Dyke. To mitigate these impacts, replacement vegetation compliant with the policies and guidelines of the Blackfriars/Petersville HCD is recommended.
e) The planting of new trees should be encouraged where gaps exist to contribute to the urban forest.	The planting of new trees is recommended.

Section 12.8 and Section 12.9.1 of the *Blackfriars/Petersville HCD Plan & Guidelines* offers the following guidelines for parks and open spaces and views and vistas which were used to assess the proposed replacement.

Section 12.8 Parks and Open Spaces	
Guidelines	Analysis
<ul style="list-style-type: none"> The original layout and design of the greenway and associated features on the dyke and the green nodes along the dyke should be 	The original layout and design of the greenway and associated features of the West London Dyke will be altered by the proposed replacement. To mitigate this impact, it is recommended that the West London Dyke be documented prior to its

--	--

HAP 16-021-L
K. Gonyou

respected, and in the event of a loss of vegetation, the feature should be replaced with a specimen of the same species; and,	alteration (noting that a portion has been altered in 2007). Replacement vegetation compliant with the policies and guidelines of the Blackfriars/Petersville HCD is recommended.
<ul style="list-style-type: none"> The original spatial organization should be regarded, and the organization of elements, pathways and site circulation, views and topography should be preserved. 	While the material of the original spatial organization will not be preserved, its basic form and overall function will be conserved. The proposed replacement of the West London Dyke is respectful of the traditional circulation route of the pathway and maintains this tradition through its design.
Section 12.9.1 Views and Vistas	
Guidelines	Analysis
<ul style="list-style-type: none"> Preserve and maintain existing views and sightlines to and from significant built heritage and cultural heritage landscape elements, including views to the Thames River, associated dyke system, and Blackfriars Bridge; and, Protect and maintain features, such as the dyke system and mature street trees which define views and viewsheds. 	The proposed replacement will impact views, particularly those that terminate at the West London Dyke. Those impacts are generally short-term due to the loss of vegetation. Replacement vegetation compliant with the policies and guidelines of the Blackfriars/Petersville HCD is recommended.

The policies and guidelines of the *B/P HCD Plan & Guidelines* address the contextual attributes of the West London Dyke without emphasizing the built fabric of the dyke itself. Therefore, it is understood that the function (historical or associative and contextual values) of the West London Dyke conveys its significance. The proposed alterations will ensure the function of the West London Dyke is supported for the long-term and should be supported with the Heritage Alteration Permit.

Documentation

Documentation has been recommended as a mitigation measure by the Heritage Impact Statement. This documentation should be submitted to the Heritage Planner to build the archival record of the West London Dyke. It is recommended that the documentation include:

- Photographic documentation of the existing West London Dyke, including the railings and dyke;
- Measured drawings or 3D digital modelling to maintain a record of the historic structure and,
- Photographic documentation of the construction activities associated with the West London Dyke at regular intervals (e.g. weekly photographs showing construction progress from start to completion).

CONCLUSION

The alteration to the West London Dyke is compliant with the goals and objectives of the *Blackfriars/Petersville HCD Plan & Guidelines* and should be permitted by Municipal Council.

Agenda Item # Page #

--	--

HAP 16-021-L
K. Gonyou

PREPARED BY:	SUBMITTED BY:
KYLE GONYOU HERITAGE PLANNER URBAN REGENERATION	JIM YANCHULA, MCIP, RPP MANAGER URBAN REGENERATION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

2016-06-24

Attach:

Appendix A: Location Map

Appendix B: Photographs

Appendix C: Heritage Impact Statement – West London Dyke

Y:\Shared\policy\HERITAGE\Heritage Alteration Permit Reports\West London Dyke\HAP 16-021\HAP 16-021 WLD LACH 2016-07-06.docx

--	--

HAP 16-021-L
K. Gonyou

APPENDIX A: Location Map



(Courtesy Stantec Consulting Ltd.)

Red: West London Dyke Master Repair Plan area
Yellow: 2016 Project Area for West London Dyke Master Repair

--	--

HAP 16-021-L
K. Gonyou

APPENDIX B: Photographs



Image 1: Slope protection along the West London Dyke (prior to 1937).



Image 2: Slope protection along the West London Dyke; work completed (prior to 1937).



Image 3: West London Dyke adjacent to Queens Avenue Bridge, replaced in 2007.



Image 4: Detail of railing replaced in 2007.



Image 5: Junction of new and historic dyke near Rogers Avenue, seen from Harris Park.



Image 6: Historic West London Dyke, seen from Harris Park.

--	--

HAP 16-021-L
K. Gonyou



Image 7: Detail of historic railing along West London Dyke, near Blackfriars Bridge.

Image 8: Detail of historic railing and new railing (2007).

Agenda Item # Page #

--	--

HAP 16-021-L
K. Gonyou

APPENDIX C: Heritage Impact Statement – West London Dyke