

Report to London Advisory Committee on Heritage

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,
Pocket Parks, Bishop Hellmuth Heritage Conservation District

Meeting on: March 13, 2019

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 construct two pocket parks within the Bishop Hellmuth Heritage Conservation District, **BE PERMITTED** as submitted in the drawings included Appendix D, with the terms and conditions that commercial advertisement within the pocket parks be prohibited.

Executive Summary

A Heritage Alteration Permit application was submitted for the construction of two proposed pocket parks in the municipal boulevard within the Bishop Hellmuth Heritage Conservation District. The proposed pocket parks are consistent with the policy of the *Bishop Hellmuth Heritage Conservation District Plan* and comply with its guidelines.

Analysis

1.0 Background

1.1 Locations and Descriptions

Two locations are being considered for proposed pocket parks within the Bishop Hellmuth Heritage Conservation District (HCD). Both locations are located within the municipal boulevard (public property).

1.1.1 Pocket Park A – 782 Waterloo Street

The first location is on the east side of Waterloo Street, adjacent to the St. George's Public School (782 Waterloo Street) (Appendix A, Figure 1; Appendix B, Images 1-2). The first location, adjacent to St. George's Public School, is located between the two driveways which provide access to the school property (Appendix B). The first location is to the east of the municipal sidewalk and abuts the sidewalk to the school as well as the designated accessible parking spaces.

1.1.2 Pocket Park B – 860 Waterloo Street

The second location is on the east side of Waterloo Street, adjacent to the Extencicare home (860 Waterloo Street) (Appendix A, Figure 2; Appendix B, Images 3-4). The second location, adjacent to the Extencicare home, is located between the two driveways which provide access to the property (see Appendix B). The second location is to the east of the municipal sidewalk and abuts the sidewalk which provides access to the Extencicare building. There is an existing bench in the general location of the proposed pocket park.

1.2 Cultural Heritage Status

The Bishop Hellmuth HCD includes approximately 199 properties, as well as the municipal property within its boundaries. The Bishop Hellmuth Heritage Conservation District was designated under Part V of the *Ontario Heritage Act* on February 7, 2003 by By-law No. L.S.P.-3333-305.

1.3 Waterloo Street Reconstruction

Waterloo Street, between Oxford Street East and Grosvenor Street, is planned to be reconstructed in 2019 under the City's Infrastructure Renewal Program. Originally conceived for 2018, the project construction was to be funded by senior levels of government through the Clean Water and Wastewater Stimulus Fund, unfortunately that funding source became unavailable and thus the construction had to be deferred. This 2019 construction of Waterloo Street is now proposed to be funded through existing available budgets.

Appointment of the consulting engineer to complete the pre-design and detailed design of Clean Water and Wastewater Stimulus funded Waterloo Street reconstruction from Oxford Street to Grosvenor Street was authorized by Municipal Council, at its meeting held on July 25, 2017.

The Waterloo Street reconstruction project includes new sanitary sewers to replace the existing sewers dated circa 1903, new larger size storm sewers to replace the existing sewers dated circa 1916, additional catchbasins and implementation of low impact development stormwater management controls for improved drainage, and a new larger sized watermain and services to replace the existing century-old main and to remove lead water service piping from the public road allowance. The existing road will be replaced with new curb and gutter, asphalt, and sidewalks, all following the same widths and alignments as existing. The project will be introducing raised concrete intersections at both Waterloo Street/St. James Street and Waterloo Street/Grosvenor Street as well as the proposed pocket parks which are the subject of this Heritage Alteration Permit application.

1.4 Previous Reports

July 17, 2017. Report to the Civic Works Committee. Appointment of Consulting Engineers, Infrastructure Renewal Program 2017-2019.

2.0 Legislative/Policy Framework

2.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2014)* promotes the wise use and management of cultural heritage resources and directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved."

2.2 Ontario Heritage Act

Section 42 of the *Ontario Heritage Act* requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit:

- a) The permit applied for
- b) Notice that the council is refusing the application for the permit, or
- c) The permit applied for, with terms and conditions attached (Section 42(4), *Ontario Heritage Act*)

Municipal Council must respond within 90 days after a request for a Heritage Alteration Permit application (Section 42(4), *Ontario Heritage Act*).

2.3 The London Plan

The policies of *The London Plan* found in the Cultural Heritage chapter support the conservation of London's cultural heritage resources. Policy 554_ of *The London Plan* articulates one of the primary initiatives as a municipality to "ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources." To help ensure that new development is compatible, Policy 594_ (under appeal) of *The London Plan* provides the following direction:

1. *The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district*

2. *The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area*
3. *Regard shall be had at all times to the guidelines and intent of the heritage conservation district plan.*

2.4 Bishop Hellmuth Heritage Conservation District Plan

One of the goals of the *Bishop Hellmuth HCD Plan* is,

To assist the City of London in identifying and prioritizing capital expenditures in the heritage district, particularly the streetscape policies and their long-term goal of period street signs, lights, pocket parks and upgraded back lanes (Section 3, Bishop Hellmuth HCD Plan).

Section 5.6 of the *Bishop Hellmuth HCD Plan* recognizes that there are no parks, “in the conventional sense”, in the Bishop Hellmuth HCD. The policies and guidelines provide direction to enhance the linear streetscape parks. Four locations were proposed for consideration:

- North side of St. James Street beside St. John the Evangelist Anglican Church (280 St. James Street)
- East side of Waterloo Street beside the Extendicare home (860 Waterloo Street)
- North side of Oxford Street East beside the New St. James Presbyterian Church (280 Oxford Street East)
- East side of Waterloo Street beside St. George’s Public School (782 Waterloo Street).

Guidelines around design of pocket parks are brief, but specific. The *Bishop Hellmuth HCD Plan* states, “...the design should include seating and period landscaping” (Section 5.6). A concept image of a potential pocket park is included within the *Bishop Hellmuth HCD Plan* (see Appendix C).

3.0 Heritage Alteration Permit Application

The *Bishop Hellmuth HCD Plan* is specific in identifying “streetscape improvements by City” as requiring Heritage Alteration Permit approval. Section 6 of the *Bishop Hellmuth HCD Plan* states,

All changes to public streetscapes, including street signs, lighting, trees, parks and back lanes, should require approval by City Council as advised by The LACH in accordance with the streetscape policies.

A Heritage Alteration Permit application was submitted by a representative of the property owner (The Corporation of the City of London) and received on February 25, 2019. The property owner has applied for a Heritage Alteration Permit to:

- Construct two “Pocket Parks” in the municipal boulevard on Waterloo Street within the Bishop Hellmuth Heritage Conservation District (see drawings in Appendix D)
- Widen the sidewalk in front of the St. George’s Public School (762 Waterloo Street) and add two (2) concrete walkways for students across the boulevard from the bus drop-off to the sidewalk
- Stamp street names in the concrete sidewalk

This work is being undertaken as part of the Waterloo Street reconstruction under the City’s Infrastructure Renewal Program.

Per Section 42(4) of the *Ontario Heritage Act*, the 90-day timeline for this Heritage Alteration Permit application will expire on May 26, 2019.

4.0 Analysis

4.1 What is a Pocket Park?

A “pocket park” is a small scale outdoor space that is intended for people to gather, relax, and enjoy the outdoors. They provide a safe and inviting environment for community members. Pocket parks may also be known as “miniparks” or “vest-pocket parks.” Pocket parks are not for vehicle parking, and are permanent (unlike a “pop-up park”). Pocket parks are intimate in their nature and generally include passive recreational opportunities. Pocket parks are not intended to service the entire City in the same way as a District park or City-wide park.

The National Recreation and Parks Association (US) identifies four key qualities for a successful pocket park:

1. *They are accessible*
2. *They allow people to engage in activities*
3. *They are comfortable spaces and have a good image*
4. *They are social places where people meet each other and take people when they come to visit*

4.2 Compliance with Bishop Hellmuth Heritage Conservation District Plan

The policies and guidelines of the *Bishop Hellmuth HCD Plan* seek to ensure the conservation of the area’s heritage character through appropriate design of pocket parks in pre-identified locations. Guidelines around design of pocket parks are brief, but specific.

The proposed locations of the pocket parks conforms to the potential locations identified within the *Bishop Hellmuth HCD Plan*.

The design of the proposed pocket parks reflects an evolution in our understanding of park design since the development of the *Bishop Hellmuth HCD Plan* in 2001. While a trellis or lattice screen is shown in the concept design of the pocket park in the *Bishop Hellmuth HCD Plan* (see Appendix C), such a screen may present CPTED (Crime Prevention Through Environmental Design) challenges as well as accumulate debris. This element has been eliminated from the proposed design of the pocket parks.

Both of the proposed pocket parks will include seating, set in a landscape of period-inspired plant species. Hardscaping (unit paves) will distinguish the proposed pocket parks from the regular concrete sidewalk to create a more intimate and inviting area of respite. “Unilock ‘Mattoni’ unit pavers in cocoa brown” laid in a double herringbone pattern with a sailor course around the perimeter is proposed (see Appendix D, Image 15; Appendix D, Figure 6).

Seating has been provided in compliance with the direction in the *Bishop Hellmuth HCD Plan*. Each pocket park will have two benches that are constructed of powder-coated metal frame with wooden seat and back. The “Magline Site Furniture Inc., 450 Series Model MLB450-W” is proposed (see Appendix D, Image 14). The proposed benches will be fixed to their concrete pads (not movable).

Development and building within the Bishop Hellmuth HCD was largely completed during a short period of time, 1895-1910, following the demolition of the Hellmuth Boys College. This is understood to be the applicable period when referring to “period landscaping,” reflecting prevailing late Victorian and Edwardian garden themes.

The proposed plant materials have been reviewed by a landscape architect to verify their suitability for a late Victorian or Edwardian garden. The selected colour palette of flowering species reflects soft pinks and whites, which would have been popular colour selections of the period. A variety of plant species were selected to provide visual and aesthetic interest throughout the growing season, including textures as well as heights. The proposed plant materials include (see Appendix D, Images 5-13):

- Serviceberry
- Chinese Flowering Dogwood

- Annabelle Hydrangea
- Little Princess Spirea
- Astilbe
- Bergenia
- Summer Phlox

Stamping of the street names within the concrete sidewalk will continue to implement this historic detail in London's Heritage Conservation Districts (see Appendix D, Image 16 for an example on Central Avenue in the East Woodfield Heritage Conservation District).

The additional walkways perpendicular to the widened municipal sidewalk in front of St. George's Public School (782 Waterloo Street) have been included in the scope of this overall project in consultation with the school.

The proposed pocket parks complies with the guidelines of the *Bishop Hellmuth HCD Plan* in the provision of seating and period-appropriate landscaping.

4.3 Consultation

Consultation was undertaken for the proposed pocket parks in conjunction with the Waterloo Street infrastructure renewal and upcoming construction.

Correspondence was sent to abutting property owners, as well as the Bishop Hellmuth Neighbourhood Association. Comments received from the abutting property owners were mixed or in objection to the proposed pocket parks. Comments received include:

- May be incompatible with adjacent nursing home
- May lead to an increase in crime
- May block sight-lines to the [school] buses
- May beautify the neighbourhood
- Need for continued maintenance
- May attract unwelcomed pedestrian traffic and loitering
- May become an attractive spot to smoke

Proposed layout and planting plans for the pocket parks were displayed at a Project Update Meeting (PUM) on February 26, 2019 at St. George's Public School, held as part of the Pre-Construction Notice for the Waterloo Street construction project. Comments and feedback received at the PUM were overwhelmingly positive, and specifically noted the following:

- Advertising within the pocket parks (e.g. on the benches) should be prohibited
- Concern for potential garbage (e.g. cigarette butts)

4.4 Maintenance

During the development of the *Bishop Hellmuth HCD Plan* in 1998-2003, the maintenance of the pocket parks "could be carried out by gardening members" of the community association (Section 5.6). This would be an ideal solution for the maintenance of the proposed pocket parks and would fit within the existing Adopt-a-Park/Adopt-a-Street program.

If that is no longer the case or the community association is not willing to support the maintenance of the pocket parks, minimum maintenance would be undertaken by the City's Parks Operations.

4.5 Other

Neither of the pocket parks have specific assigned names. Naming of the pocket parks would need to comply with Municipal Council's Naming/Re-Naming or Dedicating of Municipal Property, Buildings and Park Elements Policy in the Council Policy Manual.

The pocket parks may be suitable locations for the installation of potential future cultural heritage interpretive signs.

5.0 Conclusion

The proposed pocket parks, located adjacent to the Extencicare home and St. George's Public School, within the Bishop Hellmuth HCD comply with the policies and guidelines of the *Bishop Hellmuth HCD Plan* and should be permitted.

This report was prepared with the assistance of Ryan Armstrong, C.E.T., Wastewater & Drainage, Engineering Division and Amanda Lockwood, Urban Designer, City Planning.

Prepared by:	Kyle Gonyou, CAHP Heritage Planner
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Research
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

March 7, 2019
KG/

Appendix A Property Locations
Appendix B Images
Appendix C *Bishop Hellmuth HCD Plan* – Proposed Pocket Park
Appendix D Proposed Pocket Park Design Details

Additional Sources

National Recreation and Parks Association (US). *Creating Mini-Parks for Increased Physical Activity*. Retrieved from www.nrpa.org.

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Appendix A – Property Locations

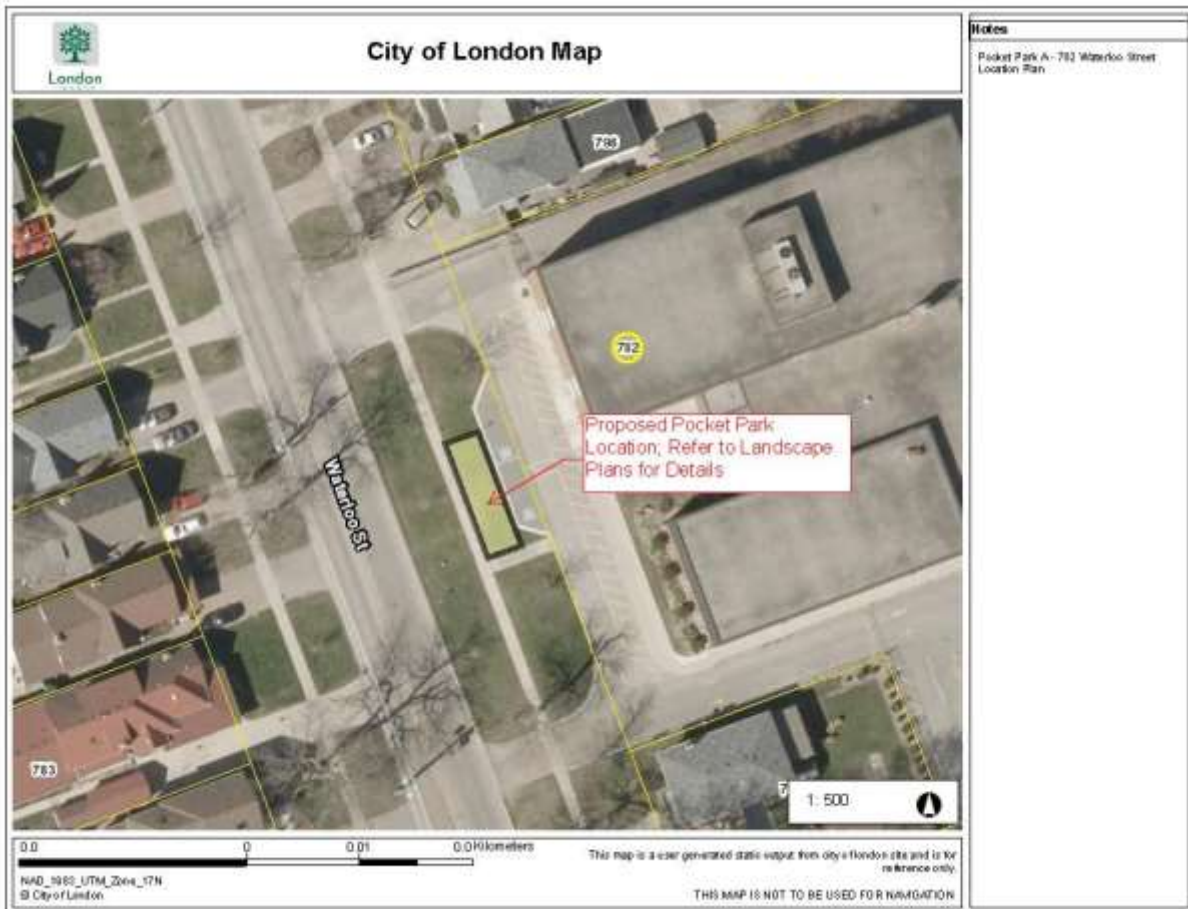


Figure 1: Proposed location of proposed Pocket Park A, in front of 782 Waterloo Street (St. George's Public School).



Figure 2: Proposed location of proposed Pocket Park B, in front of 860 Waterloo Street (Extendicare home).

Appendix B – Images



Image 1: Proposed location of proposed Pocket Park A, in front of 782 Waterloo Street (St. George's Public School).



Image 2: Proposed location of proposed Pocket Park A, in front of 782 Waterloo Street (St. George's Public School) (courtesy Google, July 2018).



Image 3: Location of the proposed Pocket Park B, in front of 860 Waterloo Street (Extendicare home).



Image 4: Location of the proposed Pocket Park B, in front of 860 Waterloo Street (Extendicare home) (courtesy Google, August 2017).

Appendix C – Bishop Hellmuth HCD Plan – Proposed Pocket Parks

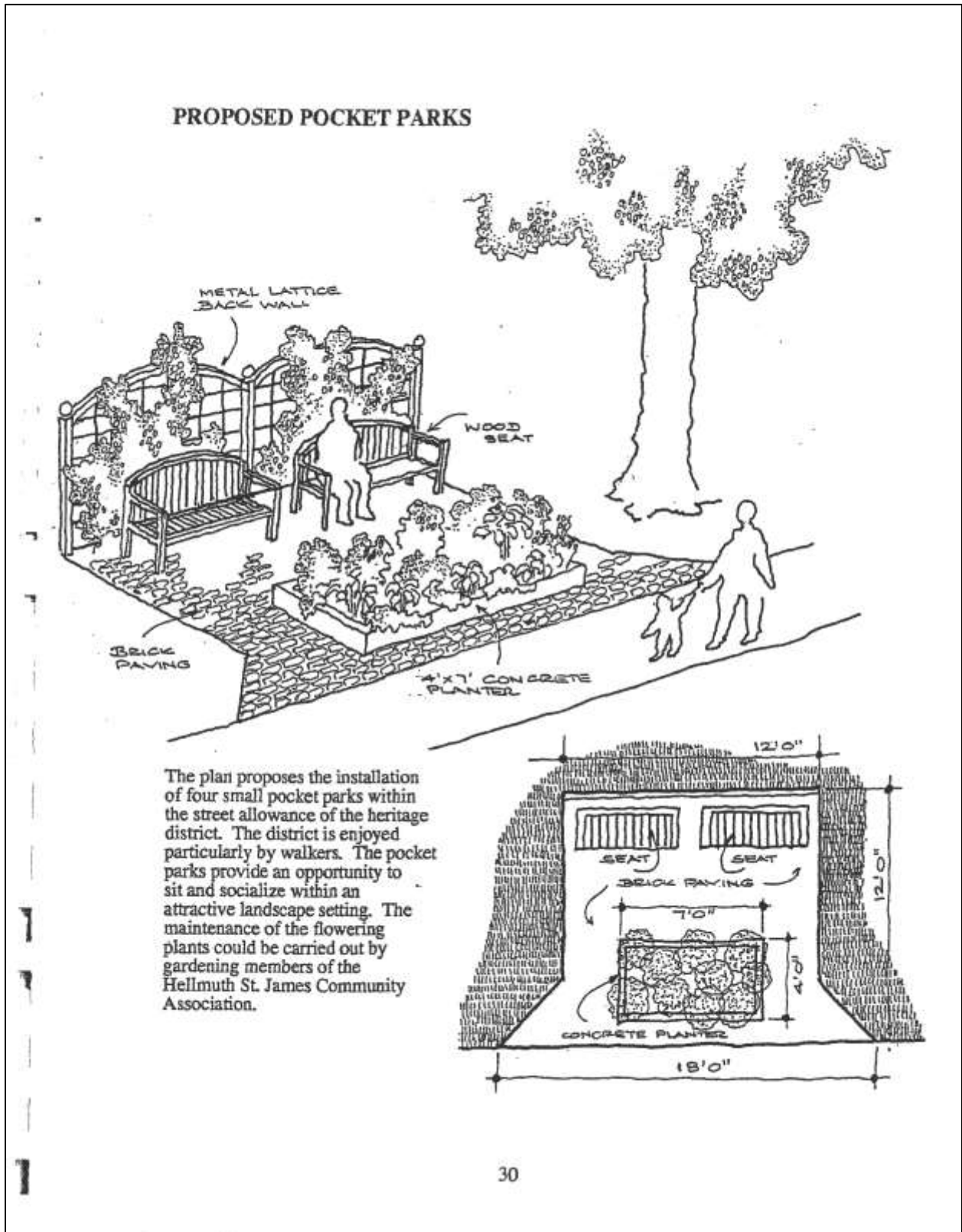


Figure 3: Concept image of proposed pocket parks from the Bishop Hellmuth Heritage Conservation District Plan (2001).

Appendix D – Proposed Pocket Park Design Details

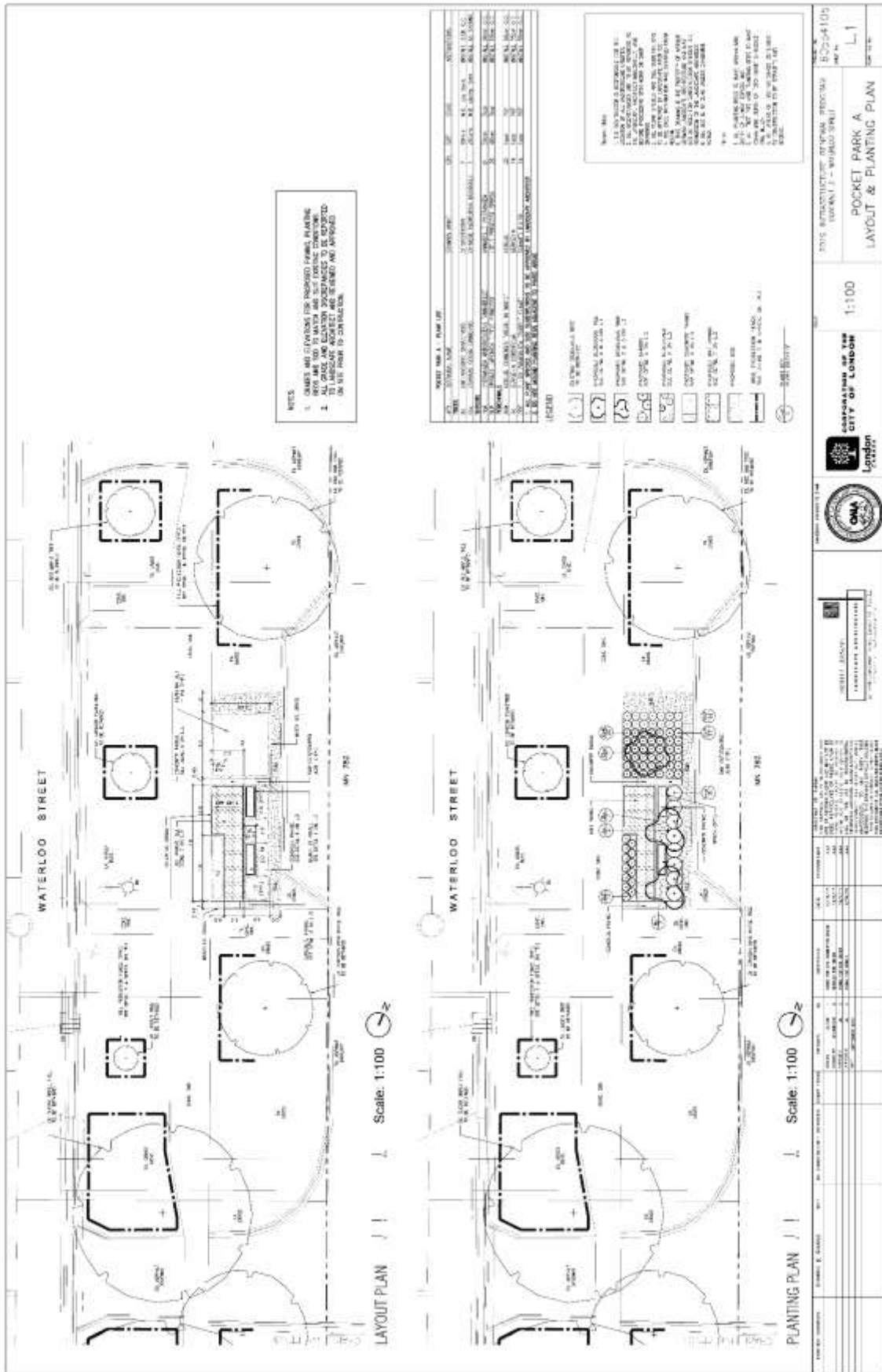


Figure 4: Pocket Park A Layout and Planting Plan.

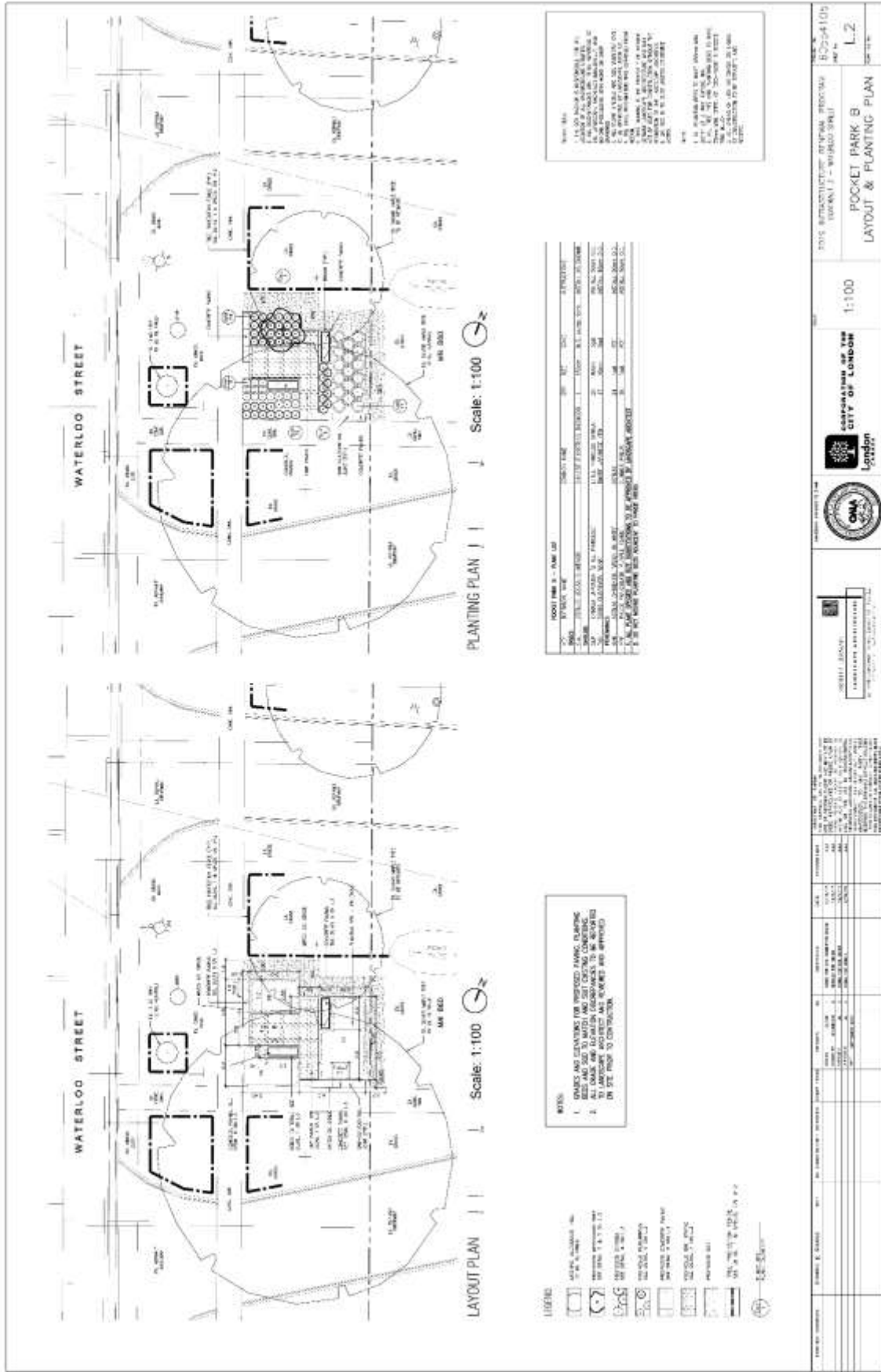


Figure 5: Pocket Park B Layout and Planting Plan.

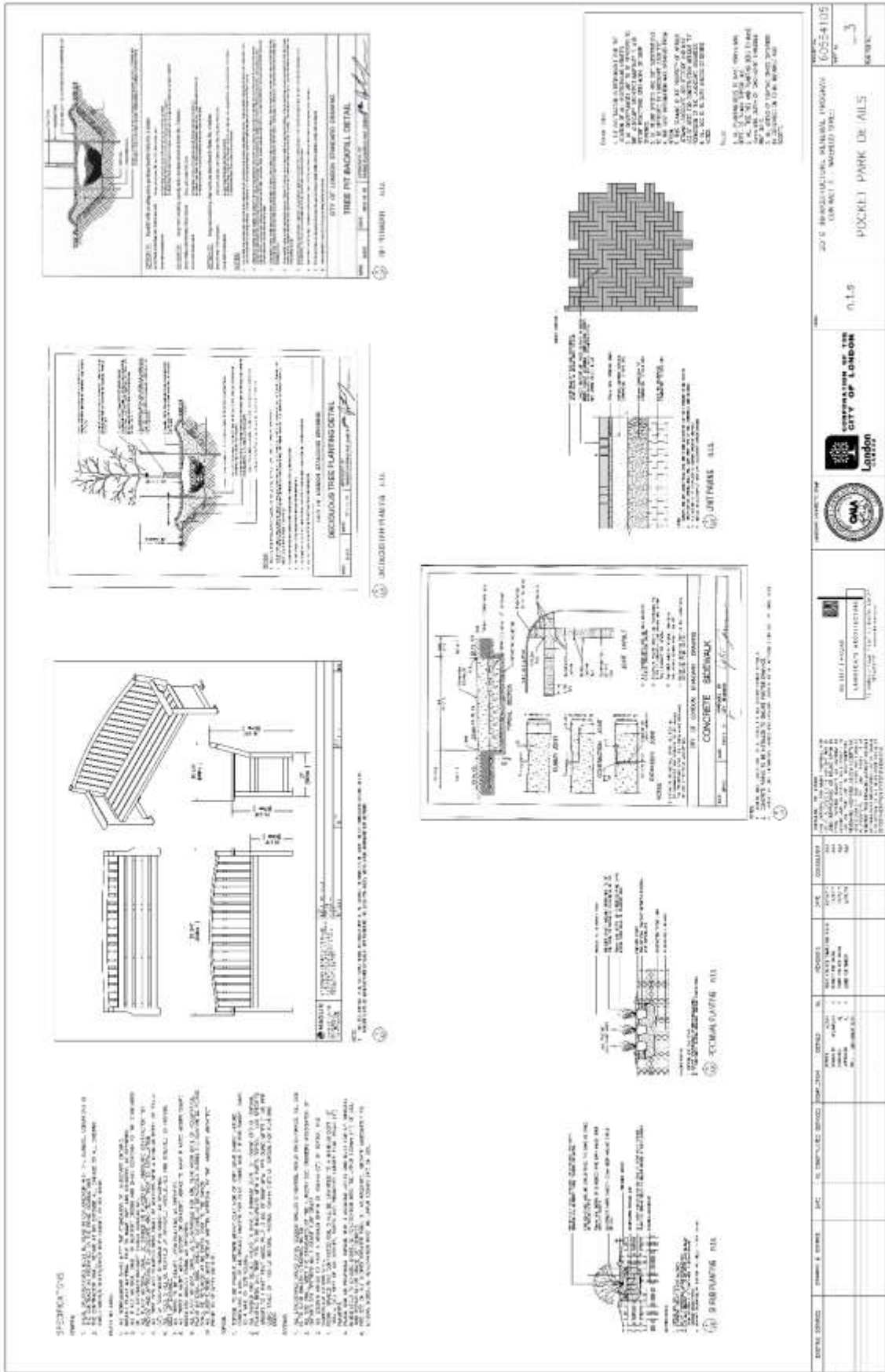


Figure 6: Pocket Park Details.

Plant Species



Image 5: Serviceberry (fall). Source: Rotary Botanical Gardens.



Image 6: Serviceberry (spring). Source: Rotary Botanical Gardens.



Image 7: Chinese Flowering Dogwood. Source: Ruud van den Berk Nursery, The Netherlands.



Image 8: Dwarf Japanese Yew. Source: Connon Nurseries.



Image 9: Bergenia. Source: Connon Nurseries.



Image 10: Astilbe. Source: Connon Nurseries.

Plant Species



Image 11: Little Princess Spirea. Source: Connon Nurseries.



Image 12: Annabelle Hydrangea. Source: Connon Nurseries.



Image 13: Summer phlox. Source: Connon Nurseries.



Image 14: Magline Site Furniture Inc., 450 Series Model MLB450-W. Courtesy: Magline.



Image 15: Sample of “cocoa brown” Unilock ‘Mattoni’ unit pavers. Note: would be laid in double herringbone pattern (not shown). Courtesy: Unilock.



Image 16: Example of stamped street name in sidewalk concrete.



Image 17: The Bishop Hellmuth Neighbourhood Association currently participates in the Adopt-a-Street program, including all of the streets within the Bishop Hellmuth Heritage Conservation District.