

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee

**From:** Scott Mathers, MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Heritage Alteration Permit Application by the Corporation of  
the City of London for the Elizabeth Street Infrastructure  
Renewal Project, in the Old East Heritage Conservation  
District

**Date:** July 25, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the Elizabeth Street alterations, within the Old East Heritage Conservation District, **BE PERMITTED**.

## Executive Summary

Elizabeth Street is located within the Old East Heritage Conservation District and will be reconstructed in 2023. As part of the project, the road width of Elizabeth Street is proposed to be narrowed from 7.5m in width to 6.5m in width. This will result in a wider boulevard, which supports the heritage character and the “green ribbon” of the Old East Heritage Conservation District. No negative impacts are anticipated to the Old East Heritage Conservation District, or its cultural heritage resources, as a direct result of the proposed Elizabeth Street Infrastructure Renewal Project.

## Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan areas of focus:

- Strengthening Our Community:
  - Continuing to conserve London’s heritage properties and archaeological resources.

## Analysis

### 1.0 Background Information

#### 1.1 Property Location

Elizabeth Street is a north-south street between Dundas Street and Central Avenue, mostly located within the Old East Heritage Conservation District (Appendix A). Elizabeth Street continues north of the Canadian Pacific Railway to Oxford Street East. The portion of Elizabeth Street pertinent to this report is focused on its intersection with Queens Avenue, within the Old East Heritage Conservation District.

#### 1.2 Cultural Heritage Status

Elizabeth Street is located within the Old East Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.-3383-111, passed on September 10, 2006.

#### 1.3 Description

Elizabeth Street was established, in part, by Registered Plan 212 (3<sup>rd</sup>), registered on August 5, 1856. It was the first residential survey subdividing the land granted to Nobel English in Lot 12, Concession I, former London Township.

Located within land owned by Noble English (Lot 12, Concession I, London Township), the residential area of the Old East Heritage Conservation District was developed from the 1860s into the 1930s. The first survey, between Adelaide Street North and Elizabeth Street, was completed in 1856 and established the blocks that would be carried through the rest of the area. Following the death of Nobel English, his family continued to subdivide the land into building lots for development.

Elizabeth Street was named for Elizabeth Forsythe English, the wife of Nobel English. Many of the original street names in the Old East Heritage Conservation District were named for the family of Nobel English, including English Street and Elias Street.

Elizabeth Street is an existing roadway, approximately 7.5m in width. It is finished with an asphalt road surface and concrete curbs and cutters, with full municipal services. There is a narrow grass boulevard between the curb and the existing concrete sidewalk.

#### **1.4 Elizabeth Street/Lyle Street Infrastructure Renewal Project**

The City is reconstructing Elizabeth Street, from Dundas Street to Queens Avenue, as well as Lyle Street from King Street to Dundas Street. This project includes:

- Full water main replacement
- Full sanitary replacement
- Catch basin replacement and storm sewer replacement

In addition to the underground infrastructure replacement, the surface infrastructure will also be replaced.

Construction is anticipated to occur in spring to late-fall 2023, with some follow up work expected in spring 2024.

#### **1.5 Heritage Alteration Permit Application (HAP22-038-L)**

Heritage Alteration Permit approval is triggered by the surface components of the Elizabeth Street Infrastructure Renewal Project (noted in Section 1.4), namely:

- Narrow the road asphalt, from the existing 7.5m to the proposed 6.5m, which results in having to adjust the existing curb lines of Elizabeth Street.

To comply with the requirements of the *Old East Heritage Conservation District Plan*, the Corporation of the City of London has submitted a Heritage Alteration Permit application for the proposed alterations to Elizabeth Street. The complete Heritage Alteration Permit application was received on June 21, 2022.

##### **1.5.1 Description of Proposed Changes**

The narrower road configuration will allow for two-way vehicular traffic but will also act as a measure to reduce the travel speed for vehicular traffic along Elizabeth Street. The adjustment of the curb lines will result in increased green space in the boulevard between the curb line and the sidewalk.

The west side boulevard of Elizabeth Street is proposed to be widened by approximately 0.5m, for a total boulevard width of 1.5m. The east side boulevard of Elizabeth Street is proposed to be widened by approximately 0.5m for a total boulevard width of 1.0m. The widened boulevards will be reinstated with grass (sod).

There is a significant silver maple tree in the side yard boulevard of the property at 687 Queens Avenue (east side of Elizabeth Street). The goal is to retain this silver maple tree. To continue to retain this tree, the alignment of the east sidewalk on Elizabeth Street will be maintained.

Intersection improvements to incorporate sidewalk ramps and tactile plates for *AODA (Accessibility for Ontarians with Disabilities Act)* compliance.

Additionally, throughout the project:

- Green space, or gardens where existing, on the boulevards will be maintained wherever possible.

- Standard street signs (green with white text) within the project area will be replaced with Heritage Conservation District street signs (blue with white text, bump out portion on top).
- Street names will be stamped into the concrete sidewalk.
- Street lighting more appropriate to the heritage character of the Old East Heritage Conservation District.

## 1.6 Community Consultation

As part of the Infrastructure Renewal Project, there have been several points of community consultation:

- Project Notice Letter #1 was mailed to affected properties within and adjacent to the project design and construction limits, as well as the Old East Village Community Association and Old East Village Business Improvement Association on May 25, 2021. A residents' survey was included in the Project Notice and residents were invited to complete the survey and provide their input. Two responses were received.
- On February 3, 2022, a Project Update Letter was mailed to affected properties within and adjacent to the project design and construction limits, as well as the Old East Village Community Association and Old East Village Business Improvement Association, informing that the construction project had been rescheduled to 2023.

As the overall project design advances, a property owner letter will be mailed to properties within and adjacent to the project design and construction limits as well as the Old East Community Association and Business Improvement Association to update the project progress (typically late October). This letter will include a link to a dedicated project website where residents and property owners can view project presentations.

## 2.0 Discussion and Considerations

Cultural heritage resources are to be conserved and impacts evaluated as per fundamental policies in the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, *The London Plan*. More specific, area-based policies and guidelines – part of the *Old East Heritage Conservation District Conservation Plan & Conservation Guidelines* – contain policies establishing intention and specific guidelines that provide direction on how to achieve the conservation of cultural heritage resources, heritage attributes, and character.

### 2.1 Provincial Policy Statement

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* 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” (Policy 2.6.1, *Provincial Policy Statement 2020*).

“Significant” is defined in the *Provincial Policy Statement (2020)* as, “resources that have been determined to have cultural heritage value or interest.” Further, “processes and criteria for determining cultural heritage value or interest are established by the province under the authority of the *Ontario Heritage Act*.”

Additionally, “conserved” means, “the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained.”

### 2.2 Ontario Heritage Act

Section 42(1) 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 make a decision on the Heritage Alteration Permit application within 90 days or the request is deemed permitted (Section 42(4), *Ontario Heritage Act*).

Furthermore, Section 41.2(1) requires that Municipal Council shall not carry out any public work in a Heritage Conservation District that is contrary to the objectives set out in the applicable Heritage Conservation District Plan.

### **2.3 The London Plan**

*The London Plan* is the City of London's Official Plan. The policies of *The London Plan* found in the Key Directions and Cultural Heritage chapter support the conservation of London's cultural heritage resources.

Policy 61\_5 of *The London Plan*, "Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features."

Policy 62\_9 of *The London Plan* notes the municipality's primary initiatives to "Ensure new development is a good fit within the context of an existing neighbourhood," and Policy 554\_3 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, Policies 554\_3, 565\_, and 594\_ of *The London Plan* provides the following direction:

Policy 554\_3 Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.

Policy 565\_ New development, redevelopment, and all civic works are projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources.

Policy 594\_

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 Old East Heritage Conservation District Plan & Conservation Guidelines**

The Old East Heritage Conservation District was designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.3383-111 and came into force and effect on September 10, 2006. The *Old East Heritage Conservation District Plan & Guidelines* provides policies and guidelines to help manage change for the nearly 1,000 properties located within its boundaries.

The goals and objectives of the designation of the Old East as a Heritage Conservation District are found within Section 3.2 of the *Old East Heritage Conservation District Conservation Plan*. The streetscape goals and objectives are:

*Maintain and enhance the visual, contextual and pedestrian oriented character of Old East's streetscapes and public realms by:*

- *Recognizing that the area's heritage includes streets, parks, trees, open spaces, monuments, street furniture, signs and all manner of items that contribute to the visual experience of a community, whether public or privately owned.*

- *Maintain existing street trees, vegetation, boulevard, or develop replacement programs where necessary.*
- *Minimize the visual impact of vehicle parking on the streetscape.*

To achieve these objectives, policies are established in the *Old East Heritage Conservation District Plan*; street trees (Section 5.2), boulevards (Section 5.3), signage (Section 5.5), lighting (Section 5.6), street furniture (Section 5.7), and vehicle parking (Section 5.8).

The street trees are emphasized as an “inseparable element that defines the overall character of the district” (Section 5.2.1, *Old East Heritage Conservation District Conservation Plan*). Policy recommendations in Section 5.2.3 emphasize the importance of tree planting to maintain the streetscape with appropriate species of a minimum size (100mm calliper diameter at breast height). Specifically regarding infrastructure projects,

*Any road-works or general construction that will impact the root zones of the existing mature street trees should be executed under the supervision of municipal forestry staff, or outside consultants, such as certified arborists or registered professional foresters, with the opportunity to review engineering plans and provide and implement tree preservation/protection measures. Trees should be inspected during and after construction to ensure tree protection measures were in place and maintained, and that post construction conditions within the root protection zone have been restored to equal or better conditions.*

Appropriate planting species are found in Section 5.2.3 of the *Old East Heritage Conservation District Conservation Plan*:

- Norway Maple
- Silver Maple
- Sugar Maple
- Baumann Horsechestnut
- Native Basswood
- Little Leaf Linden
- Homestead Hybrid Elm
- Pioneer Hybrid Elm
- Sapporo Autumn Gold Hybrid Elm

There are additional species of potentially appropriate plant material (for residential landscapes) in Section 5.4 of the *Old East Heritage Conservation District Conservation Guidelines*.

The policies of Section 5.3 of the *Old East Heritage Conservation District Conservation Plan* highlight the importance of the boulevards which “serve as a green ribbon that strings the urban fabric of the district together.” The policies state:

- All boulevards should be maintained as green space, serving as an important buffer between vehicular and pedestrian space within the streetscape.
- The paving of boulevard in hard surface material is highly discouraged. Where boulevards have been hard surfaced (e.g. portions of Dufferin Avenue), it is recommended that they be restored to green space at the time any street reconstruction or other infrastructure improvements are undertaken.
- Plant materials other than turf grass may be appropriate.

The policies of Section 5.5 (Signage) include reference to the City’s Heritage Conservation District street sign program, which is partially implemented in the Old East Heritage Conservation District.

The policies of Section 5.6 (Lighting) notes that the current “cobra head” lighting fixture mounted on the wood hydro poles are not sensitive to the heritage character of the Old East Heritage Conservation District. The policies of Section 5.6 recommend the replacement of the “cobra head” light fixtures with fixtures that are more appropriate as well as the burial of overhead wires.

Section 5.7 of the *Old East Heritage Conservation District Conservation Plan* provides recommendations for street furniture. No street furniture is anticipated as part of the Elizabeth Street infrastructure renewal project.

The policies of Section 5.8 of the *Old East Heritage Conservation District Conservation Plan* continue to discourage vehicle parking in the front yard and boulevard.

### **3.0 Financial Impact/Considerations**

None.

### **4.0 Key Issues and Considerations**

#### **4.1 Consistent with the Objectives of the Old East Heritage Conservation District Plan?**

Section 41.2(1) of the *Ontario Heritage Act* requires that no public work be carried out that is contrary to the objectives of a Heritage Conservation District Plan. The proposed alterations for the Elizabeth Street Infrastructure Renewal Project have been reviewed and no conflict was identified with the objectives of the *Old East Heritage Conservation District Conservation Plan*.

No direct impacts to any private properties within the Old East Heritage Conservation District arising from the Elizabeth Street Infrastructure Renewal Project are proposed. All cultural heritage resources within the project area will be conserved and no permanent adverse impacts are anticipated.

#### **4.2 Impacts to Street Trees**

A street tree assessment and inspection were completed by the project arborist (consultant) and the City's Arborist and Forestry Supervisor. Twenty-six (26) trees were assessed; zero (0) have been identified as requiring removal due to structural or health considerations combined with construction impacts or infrastructure conflict. Final tree removal and impacts related to the Elizabeth Street Infrastructure Renewal Project will be confirmed through Detailed Design.

Retained street trees will be protected with fencing during construction, and, where warranted, provided with enhanced trunk protection.

#### **4.3 Impacts to Boulevards**

The boulevards in the Old East Heritage Conservation District are an important heritage attribute and the policies of the *Old East Heritage Conservation District Conservation Plan* support the retention and preservation of the grass boulevards.

The proposed narrowing of Elizabeth Street will maintain and widen the existing boulevards. This is anticipated to have a positive impact on the Old East Heritage Conservation District by increasing the area suitable to support the "green ribbon" along the streetscape and provide additional potential opportunities for small street trees.

The increase in the boulevard width is insufficient to support the parking of vehicles, either perpendicular or parallel to Elizabeth Street, in private driveways.

#### **4.4 Heritage Conservation District Program Implementation**

Within the limits of the Elizabeth Street Infrastructure Renewal Project, the City will continue to implement the Heritage Conservation District Street Signage program using the existing design for the Old East Heritage Conservation District. This will include replacement of street signs that do not comply with the Heritage Conservation District Street Signs standard (e.g., standard green and white street sign) or those signs which have gone missing since their installation.

Additionally, the street names will be stamped into the sidewalks that are replaced as part of the Elizabeth Street Infrastructure Renewal Project. This should continue to be implemented only in London's Heritage Conservation Districts.

#### **4.5 Street Lighting**

Since the approval of the Heritage Alteration Permit for the English Street Infrastructure Renewal Project (HAP20-060-L; 2020), the Streetworks SDL Springdale fixture has been added to the City's Pre-Approved Street Lighting Fixtures list. This fixture is more sympathetic to the heritage character of the Old East Heritage Conservation District than the existing "cobra head" fixtures while complying with the City's design and technical requirements.

#### **4.7 Coordination with Dundas Street Old East Village Reconstruction**

The Elizabeth Street Infrastructure Renewal Project will integrate with the recently completed Dundas Street/Old East Village Reconstruction.

## **Conclusion**

Infrastructure Renewal Projects within London's Heritage Conservation Districts do not typically require Heritage Alteration Permit approval when there is no alteration to the road width or paved surfaces, as these projects replace "like with like." From time to time, changes arising from an infrastructure project may be considered which could have a potential impact on the cultural heritage values or heritage attributes of the cultural heritage resources. For the Elizabeth Street Infrastructure Renewal Project, no adverse impacts are anticipated as a direct result of the proposed alterations. The narrowing of Elizabeth Street south of Queens Avenue is anticipated to continue to support and maintain the heritage character of the Old East Heritage Conservation District by conserving and increasing the "green ribbon" of the streetscape and providing opportunities for additional street trees. The proposed alterations comply with the objectives of the *Old East Heritage Conservation District Conservation Plan* and support, maintain, and enhance the conservation of the Old East Heritage Conservation District.

The Elizabeth Street Infrastructure Renewal Project also supports the continued implementation of the Heritage Conservation District street sign program, the stamping of street names in the sidewalks within a Heritage Conservation District, and the installation of more sympathetic street lighting. The Heritage Alteration Permit application for the Elizabeth Street Infrastructure Renewal Project should be permitted.

#### **5.1 Acknowledgments**

This report was prepared with the assistance of Josh Robinson, Technologist II, Water Engineering.

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Appendix A Location

Appendix B Images

Appendix C Elizabeth Street Infrastructure Renewal Project drawings

## Appendix D Preferred Street Lighting Fixture

### **Selected Sources**

City of London. Property File.

City of London. *Old east Heritage Conservation District Plan and Old East Heritage Conservation District Guidelines*. 2006.

City of London. *Register of Cultural Heritage Resources*. 2019.

City of London. *The London Plan*. 2022, consolidated.

Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*. 2020.

*Ontario Heritage Act*. 2019, c. 9. Sched. 11.



# Appendix A – Location

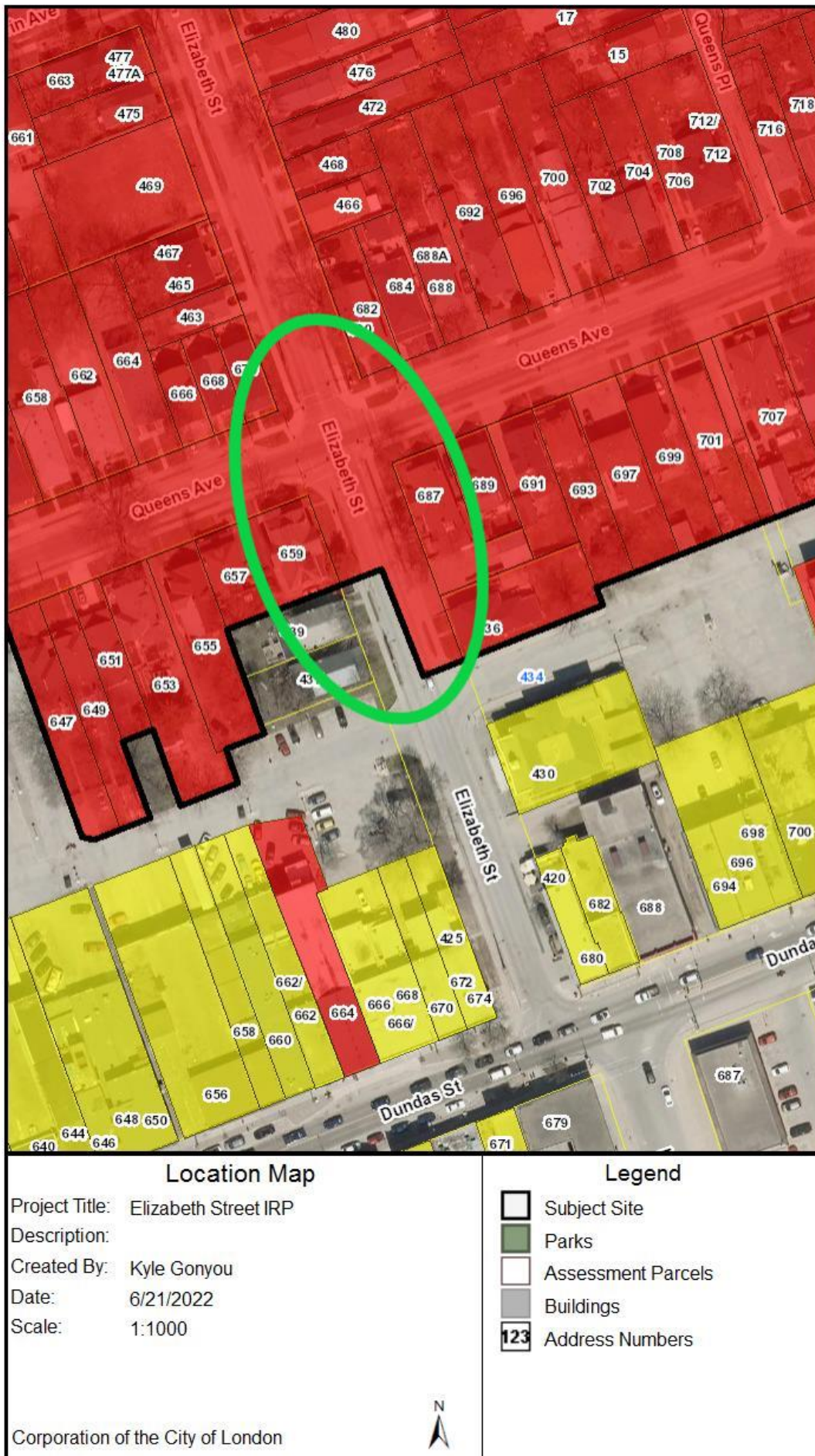


Figure 1: Location map, showing the Old East Heritage Conservation District (in red), with a green circle identifying the area of interest in the Elizabeth Street Infrastructure Renewal Project.



**Appendix B – Images**



*Image 1: Photograph of Elizabeth Street, looking north towards the intersection with Queens Avenue.*



*Image 2: Photograph of Elizabeth Street, looking south towards the intersection with Queens Avenue.*





Image 3: Photograph showing the Old East Heritage Conservation District Street Sign.



Image 4: Photograph showing the street name stamping, recently completed at Grosvenor Street and Waterloo Street in the Bishop Hellmuth Heritage Conservation District.



# Appendix C – Elizabeth Street Infrastructure Renewal Project drawings



Figure 2: Plan of the proposed Elizabeth Street Infrastructure Renewal Project, within the Old East Heritage Conservation District.

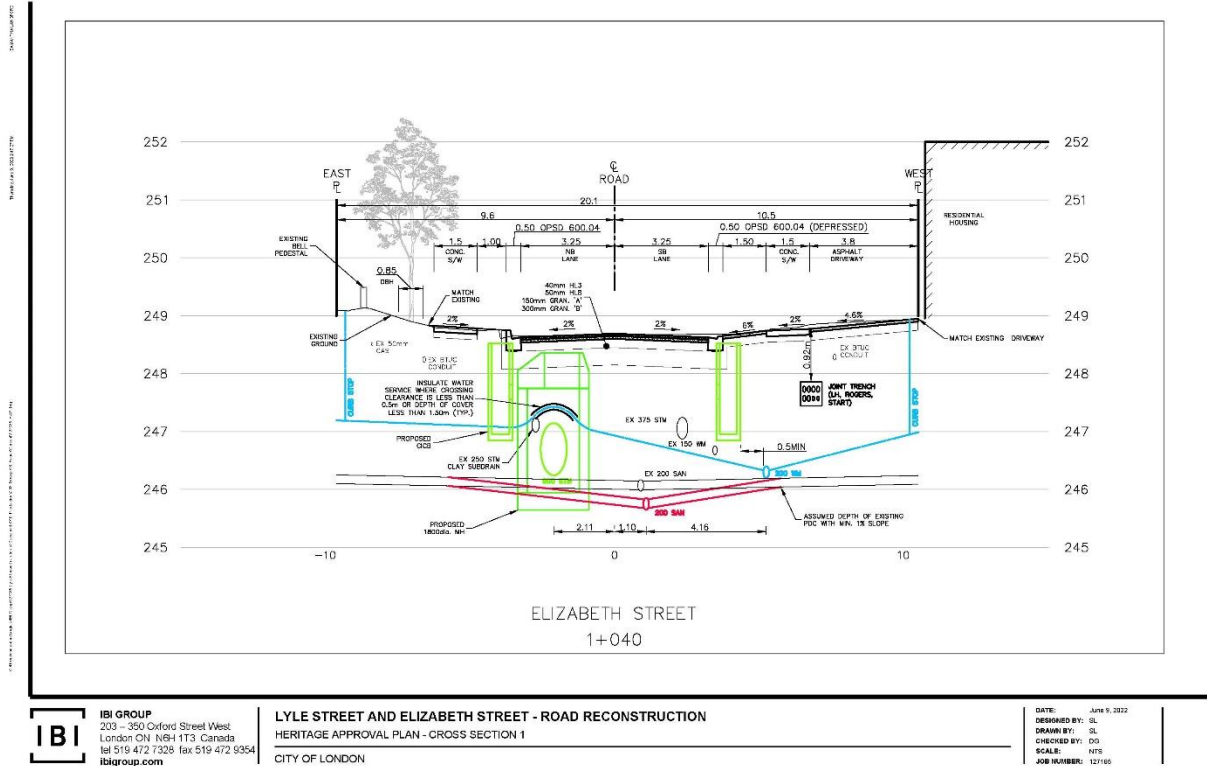


Figure 3: Cross-section of the proposed Elizabeth Street infrastructure Renewal Project.

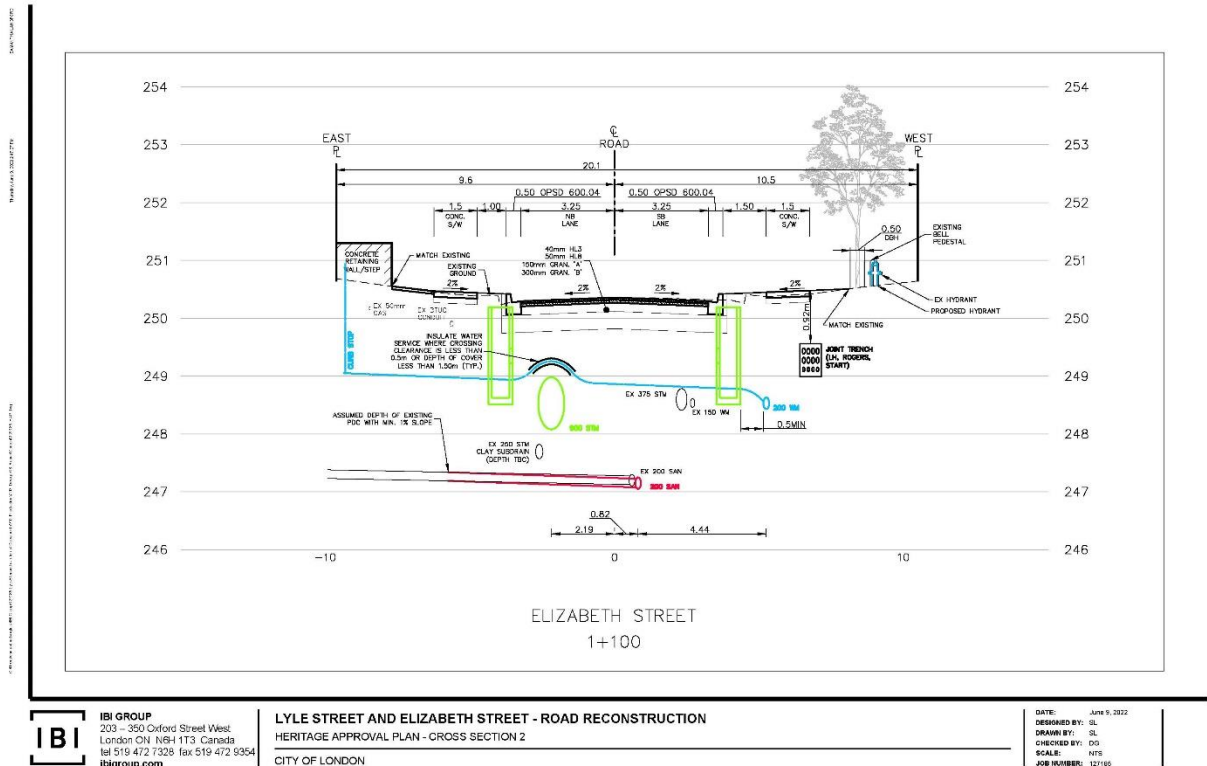


Figure 4: Cross-section of the proposed Elizabeth Street infrastructure Renewal Project.

## Appendix D –Street Lighting Fixture



### Streetworks

#### SDL Springdale

Decorative Luminaire

#### Product Features



#### Interactive Menu

- Ordering Information [page 2](#)
- Product Specifications [page 2](#)
- Energy and Performance Data [page 3](#)

#### Product Certifications

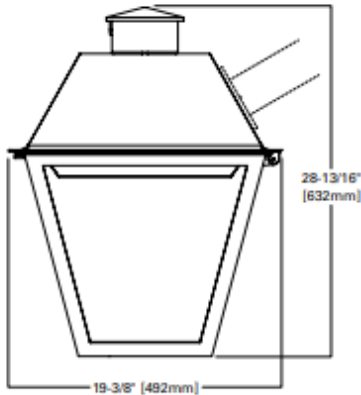


#### Quick Facts

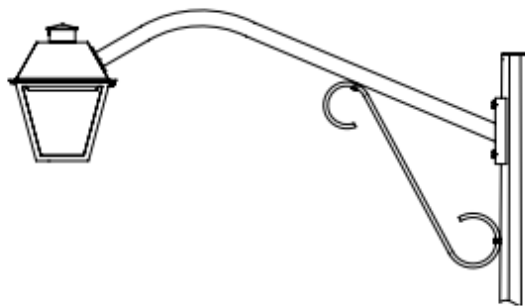
- Lumen packages ranging from 2,000 lumens to 11,000 lumens
- Offered in 2700K, 3000K, 4000K, and 5000K CCTs
- Type II, III, IV, and V distributions available
- Integrated control options via 7-pin receptacle
- Field adjustable dimming controller available

#### Dimensional Details

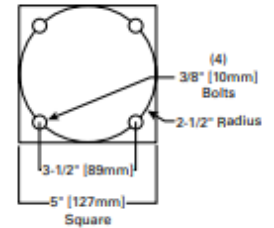
SDL



Mounting Configurations (Arm Sold Separately)



Mounting Detail



NOTE: 1. IDA Certified (3000K CCT and warmer only, fixed mounting options)

Figure 5: Product information on the Streetworks SDL Springdale LED Arm Mount from Cooper Lighting, the preferred street lighting fixture for the Old East Heritage Conservation District. This fixture can be affixed to the existing hydro poles or other poles.



*Image 5: Photograph of the new heritage sympathetic light fixture, contrasted to the standard "cobra" light fixtures, being installed on English Street. The "cobra" light fixtures will be removed.*