

PUBLIC MEETING 1 – QUESTIONS AND ANSWERS

May 21, 2020

Village of Russell Heritage Conservation District, First Public Meeting

Q 1: How does the heritage conservation district (HCD) relate to the infill requirements of the Provincial policy statement on development?

A 1: The Provincial Policy Statement (PPS) addresses many aspects of Planning in Ontario. It looks at site specifics of development; it also looks at, for example, natural heritage, agricultural areas and cultural heritage. So, development clauses from the policy statement don't stand on their own, you have to look at all the different elements and aspects of the PPS. In the PPS, regarding cultural heritage, the statement says: "significant built heritage resources and significant cultural heritage landscapes shall be conserved" (section 2.6.1) and also that "planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved"(section 2.6.3). So, this is one way that an HCD relates to the PPS on development ... as it does relate to cultural heritage. It says that any new development adjacent to the HCD will require (with the package of submissions and reviews that the Municipality normally requires) an additional review, if the Municipality decides that they would like to see it. This review is a Cultural Heritage Impact Statement (CHIS)¹ for that proposed development, wherein a third party conservation expert has demonstrated that the heritage attributes of the Heritage Conservation District have been conserved, with the design of the proposed development.

Q 2: How does this HCD designation affect individual properties that are not historically significant? There are houses in the proposed district that are post-1990 or appear visually dilapidated. And will this designation make it more difficult for new investment in the commercial core?

A 2: The HCD will not make it more difficult for the investment in the core. There are several vehicles in order to achieve that: The HCD is designed to manage change, not prevent change and there are aspects of the Plan that embrace the commercial areas and even the adjacent areas to the commercial areas, which we call the mixed commercial/residential. These two areas within the HCD Plan encourage development in the core that is appropriate and compatible with the District, making it stronger and making the new development stronger.

As far as the individual properties that are not themselves historically significant: they may have no historic value in the District, but if you change something on the property that is visible in the public realm, such as altering the streetscape then regardless of the property's own historic value, it will

¹ This document is also known as a Heritage Impact Assessment (HIA)



impact upon value of the District and it's the District that would get the designation here, not the individual property. Compatible redevelopment of some non-contributing properties can have a positive effect on the District. The HCD Plan will certainly encourage appropriate new redevelopment. But there has to be a process to manage that, define what that is and how that works. The Plan does that. The HCD Plan in fact helps prevent urban sprawl outside of the Village of Russell, by encouraging compatible infill, integrated into the existing streetscape of the Village.

Q 3: Russel appears to be on the verge of becoming a “bedroom community”, since its downtown core is so small and not conducive to tourism or nightlife. If I want to visit a restaurant or sit on a patio, Russell does not provide that opportunity. Will this designation make it less likely for the core of this village to be something I actually want to spend time in?

A 3: There are multiple arms to the answer. First, the HCD Plan aims to look at the District in different character areas: residential, commercial, etc. ... In the Commercial character area, an increase in compatible infill will bring in more businesses. In the mixed residential and commercial character area, it is intended to maintain it's essentially residential character and to allow new non-residential uses, for example you can have a new restaurant and a patio in a residential building within that area. So, there are a couple of different vehicles within the HCD that will allow the type of development that this questioner is seeking.

The goal is we want to encourage those kinds of development that will make the commercial core more desirable and we intend to develop guidelines that will help this district designation to do that. Any feedback you can give on those guidelines will help us keep these things in mind. We want to know what kinds of places you want to visit and what's your definition of what's thriving and beautiful and a great place to be. Russell can be that, and still maintain its sense of place, its character.

Another arm of the answer to this question is regarding change. There is a large case to be made that this plan will not discourage development. When we did the previous support document (“The HCD Study”) before the current phase of project (“The Plan”), it quoted studies that University of Waterloo undertook several years ago that indicated that HCDs do work. If an investor seeking to place a restaurant in the Village of Russell buys one of those houses in the mixed commercial – residential zone and wants to convert it, the guidelines are not going to be an impediment to that. In fact what Guidelines will try to encourage is find a way to retrofit that place so all it's charm and all of it's compatibility with the rest of the Village will remain, but that the investor will still be able to get the commercial use needed.

Q 4: Will the requirements only be applied to privately owned buildings?

A 4: No, the requirements will apply to all buildings within the District. Further, in the next public meeting in June you will see more guidelines that apply to the public realm: public property, streets, property own by municipal jurisdiction.

Q 6: Ottawa is currently updating its OP and intensification vs. urban sprawl is a concern. Does an HCD permit intensification or does it force sprawl? How?

A 6: The fundamental reason for an HCD is not to prevent change but to manage change and in the case of this question/subject, manage change such that you allow organic natural activities of development to occur in ways that still conserve the established heritage attributes of the District. Applying this to the question of intensification and sprawl: urban sprawl (“unfettered and indiscriminate urbanization growth over rural land and communities”) in fact can impact the Village more if you do not have Heritage Conservation District because the sprawling effects of less-regulated development will have deleterious visual and physical impact on the neighbourhood with a tendency to “erase” the attributes that provide its unique charm, ambiance and streetscapes. With an HCD, the character provided by these heritage attributes of the District are better managed and are generally better conserved.

In terms of permitting intensification, that comes back to the idea of a District Plan which is to manage change so it doesn’t eliminate development intensification in the Village, but it instead directs that development to occur in ways that support the existing character of the place. An example would be if there is a privately-owned open lot and the proposed development of that lot still meets the Guidelines of the HCD Plan, then it can proceed. It should also be mentioned that both the value of that lot and the value of the neighbourhood in which it sits are supported better by encouraging this kind of compatible, organic growth.

Q 7: Traffic is a concern, especially truck traffic. How can an HCD control traffic in Russell as the principal traffic route is an “upper tier” (jurisdiction) road?

A 7: We have two different mechanisms at play here. The Ontario Heritage Act doesn’t supersede the Planning Act or the Provincial Transportation regulations. The HCD is an instrument of the Heritage Act, so what is it about Heritage that we are trying to protect that could influence traffic? Certain types of traffic calming, for example, can contribute to conserving some character attributes such as quietness, traffic speed, road design.

If there is going to be a significant intervention into the District, regardless of what it is, public or private, the Municipality will require a Cultural Heritage Impact Statement (CHIS), that will have to demonstrate that the heritage attributes of the District have been defended. In a CHIS, the third-party conservation expert author must provide “mitigation measures” that recommend ways to reduce the intervention’s impact upon the District and its streetscapes. So, by designating the HCD and requiring more thought and careful design of not just building and landscape changes but also road and infrastructure changes, it can have a positive impact on traffic control. But this is not the instrument that is designed to be used specifically for road design; it is a tool to help manage road design impact upon the character of the District. While the HCD is not the final implementing instrument that will deal with traffic control, its process and powers under the Heritage Act certainly encourage highly desirable greater consultation

with the County or other jurisdictions responsible for proposed interventions, making decisions more balanced and compatible with District character.

Q 8: Since the museum is the oldest building in the Township and is in the proposed HCD, would it be recommended that the new siding that is needed be a material that respects the history of the building?

A 8: MTBA cannot provide a direct answer to this question here because our firm was asked to provide a professional opinion on that exact question, and we are not aware if our opinion submitted is privileged information or not. We can answer it very generally: the fact that it is a public building does not make it immune from the HCD Guidelines. A general guideline in all HCD Plans includes “New work shall be compatible with, subordinate to and distinguishable from the historic place”.

Q 9: The Township Official Plan (OP) requires upper tier approvals. Does an HCD designation require upper tier approval? Can an upper tier designate an HCD?

A 9: The Township of Russell Council will have the final say as to whether this District should be designated. The Township has provisions in the OP that speak about the Heritage Conservation District, so in a sense the County already approved the fact that Russell are considering having a Heritage Conservation District. This would not be an Official Plan amendment.

Q 11: Will owners be asked to fix up their building exteriors (for example, the Doctor’s House at 1153 South Russell Rd)?

A 11: The short answer is “no”. An HCD Plan does not tell owners what to do with their properties If you own property in the HCD and want to alter your property exterior where it is visible from the public realm, the HCD Plan provides some helpful guidelines to assist you to make these changes compatible with the District.

All the regular Municipal requirements for property standards that apply throughout the Township, remain in place in an HCD.

Also, the Ontario Heritage Act allows Municipalities to offer, at their discretion, some incentives on qualifying repairs to some properties within a Heritage Conservation District for certain kinds of improvement. But Township Council would have to implement a program like that after the HCD is approved by the Province, after Council approves the Designation.

Q 15: In other jurisdictions owners let the heritage building get run down so they have to be torn down. Can you comment?

A 15 - Comments from the various panellists:

In Ottawa in recent years, the Mayor went on a campaign to hold owners accountable for letting their buildings run down to unsightly and dangerous levels, so that they could try to post-justify removal later. We haven't studied what the regulations are in this particular jurisdiction for maintaining property. There are examples of HCD Plans where there are a heightened level of property maintenance control. We have not contemplated that yet and we would like to hear your feedback on that.

We have to be careful in the way we approach this situation, in terms of honouring individual property ownership rights. Requiring property maintenance standards beyond life safety concerns would not normally apply to any building that is not in a Heritage Conservation District.

The Township intends to be there to assist as much as possible but will not be knocking on the doors of the buildings that are run down. The Township does not want to impose that kind of responsibility on a property owner.

We are not at the point where we see the level of development pressure that we see in central Ottawa and Toronto. We already have some tools to use in Russell when the building becomes unsafe and it is through the Building Code. And that's the tool that we can use to make sure that buildings remain in their functional safe state, but we don't want to get to the point where we are going to the people's houses and saying "you need to repaint your siding". We recognize that these are people's properties and they have a level of responsibility as well as flexibility to do what they choose.

In an HCD Plan, Guidelines are created for those who have decided on their own that they want to make some changes or improvements to their properties. These Guidelines try to find a balance between preserving heritage character of the District and respecting property rights.

Q 12: Would the HDC also include signage restrictions or suggest signage on buildings fit with the historical building and the feel of the Village?

A 12: The short answer is "yes". See the draft Plan and Guidelines for proposed guidelines for signage.

Q 13: Would the sign on the Registry Office (slide #50 in the presentation) be allowed if the HCD had already been implemented? Where else could it be placed?

A 13: This sign went up recently and it covers some key architectural features that define the character of this building, and it is backlit. The Guidelines would apply to changes in the District that would be applied for after the District designation has been approved by Council. You cannot enforce the Guidelines to apply to changes that happened prior to Designation, although they can be used as suggestions for improvements in those cases.

If the applicant applied for this intervention in a Designated District, this signage would not meet the Guidelines as we are currently conceiving them. Signs like this would not be allowed in the current draft for a number of reasons: the sign's location obscures character defining elements of the historic place and it doesn't respect the character of the building. There are other ways you can have the same information presented that is very compatible with the heritage character of the place. The Guidelines provide guidance on various ways of how to do that. We recommend that applicants consult with the Municipality before starting the signage design.

By the time we complete the HCD Plan and Guidelines document, the guidelines will be very clear about what is allowed and what is not allowed. Generally, signage should work with the geometry, proportions and features of the building, within the District. For example, the sign on the Land Registry office could be placed on a side or be freestanding (*refer to the examples from the Public Meeting presentation on the Municipal website*).

Q 14: What types of traffic calming measures would you recommend? speed bumps?

A 14: Traffic calming measures of some types today are often very visually impactful. Traffic calming traditionally was simply narrow streets. Today's traffic calming types that incorporate flashing lights and strong signage are not traditional road development features, however there are a few that are such as wider sidewalks, speed bumps, raised intersections, etc. Many of these would be at home in old Ontario Main Streets. So if you look at a way of calming traffic on Concession Street for example, you could widen part of a sidewalk to a greater degree where the road narrows at certain points, increasing the sidewalk width in those areas and that is going to act as a traffic calming assist. On-street parking can act as a traffic calming measure. Anything like that, that we might propose in the draft Plan document would only be recommended after harmonizing and collaborating with those responsible for traffic within the jurisdiction. The HCD Plan is, as mentioned, not the primary tool to control traffic; it is an assist tool, to protect District character. Generally, it is the Municipality's role to help determine what compatible is in this case, using the Guidelines for reference. Heritage Conservation Architects and Urbanists are not traffic consultants, we can't recommend a specific kind.

The traffic calming measures should be specific to each intersection. For example, a speed bump that may be working at one location, it doesn't mean that it's going to work at another location. It is particular to the type and the volume of traffic. It is normally going to be designed on a case by case basis, depending on all the factors that should be evaluated to determine the right measure to be implemented at each type of intersection or section of roadway allowance.

One size does not fit all and certainly the recommendations of the HCD would recognise that. But if people want to make suggestions, then we will be more than happy to look at it if you want to submit any suggestions to the Planning Department, who will pass them on to us.

