

## **Heritage Conservation Districts Under Pressure**

by Sheila Ascroft and Carolyn Quinn

There's a troubling demolition trend afoot in many of Canada's historic neighbourhoods— including those thought to be protected by heritage district designations.

In residential areas it's the "monster home" syndrome. Older houses, often set back on larger treed lots that have contributed to the liveability of a neighbourhood for decades, are being replaced by out-of scale structures whose footprints cover most of their lots and ignore the heritage character of the area.

The massive tower developments that threaten the heritage values of historic neighbourhoods and commercial districts are also on the rise.

What is driving these trends, and why is heritage conservation district status sometimes not enough?

### **What Makes a Heritage District?**

In some quarters heritage conservation district designation is becoming the preferred conservation planning tool over individual property designation. After all, a good heritage district plan is supposed to ensure the historic integrity, sustainability and economic value of an area's cultural resources into the future.

Although each heritage conservation district (HCD) is unique, they do share certain characteristics: a concentration of heritage buildings and structures unified by landscape features like parks, pathways and street patterns. Natural elements like land form, water courses or a distinctive rural character can also come into play.

All these elements—historic, architectural, natural, scenic and social—contribute to the cultural heritage value of a district, which its designation is intended to protect.

The successful protection of HCDs from inappropriate development rests largely on the creation of a set of clear and user-friendly policies and guidelines. They allow a municipality some degree of control over development to ensure compatibility with the neighbourhood and protection of heritage values.

### **The Teardown Trend**

Tearing down an existing house in a historic district to replace it with a much larger suburban-style home is rarely a good fit. The structures often end up overwhelming their lots and streetscapes and threatening the unique characteristics that make the area worth conserving.

"One of the biggest challenges for HCDs is their incremental destruction—it's a death by a thousand cuts," says Stuart Lazear, heritage planner for the city of Ottawa, home to 16 conservation districts containing close to 2,700 properties. "A small variance here or a zoning amendment there and a few years later, the heritage character is gone."

Over the past few years Toronto's historic Forest Hill neighbourhood has been hit by a wave of teardowns, and the East York Community Preservation Panel is looking toward district designation as a possible solution.

Extremely tight bylaws controlling setbacks and design standards dating from the 1920s were lost following recent amalgamation into the city of Toronto. These once provided Forest Hill with the tools to keep the "forest" green and the historic homes built by prominent architects intact. Recent development has allowed indiscriminate demolition of properties, making way for the monster home syndrome.

The teardown trend took many Forest Hill residents by surprise. Lulled by its bylaws into thinking it was safe, the community was not prepared for the rush of Ontario Municipal Board (OMB) rulings that reversed city council and planning decisions. Individual residents have fought the OMB and Committee of Adjustment decisions—often paying for consultant and legal fees from their own pockets.

Many residents are frustrated, exhausted, and are giving up.

A similar scenario is playing out in Ottawa's most famous neighbourhood. Rockcliffe Park Heritage Conservation District, created in 1998, has tree-lined undulating streets with larger residential properties dating mainly from the 1930s. The area is characterized by large rambling lots surrounded by informal grounds.

Recently, the sale of a 2½-storey Victorian brick residence at 456 Lansdowne Road—the first year-round house built on the area's private McKay Lake and one of the first 20 houses constructed in Rockcliffe Park—was quickly followed by an application for permission to demolish. The owner wants to replace the 3,400-sq.-ft., five-bedroom house with a new 8,000-sq.-ft. one.

The Village of Rockcliffe Park Heritage Conservation District Study contains guidelines that are intended "to protect and enhance those elements in the Village that contribute to the definition of heritage character." The guidelines make it clear that they are not intended to be prescriptive, but rather they are intended to apply the design ideals that have informed the historical evolution of the former village.

In the case of 456 Lansdowne Road, their interpretation has led to considerable debate over whether or not the house meets the guidelines for historical and architectural significance. This, in spite of the fact that the residence is included on the reference list of the most important houses in the village. In the end, the local heritage advisory committee recommended against approval of the demolition, advice which city council then endorsed. It remains to be seen whether or not the owner chooses to challenge the decision at the OMB or consider a new design that would incorporate the existing house.

### **High-rise Towers Looming**

The development of massive condo towers, either inside or on the periphery, is overshadowing historic districts.

Supporters of the Port Dalhousie Heritage Conservation District, a well-preserved 19th-century canal village in Ontario, are challenging a proposed tower project which, they argue, is grossly out of scale with the village's unique low-rise heritage buildings— not to mention the impact on its limited traffic and parking capacity.

Ken Mackenzie, president of the Architectural Conservancy of Ontario, St. Catharines branch, explains that "after years of effort by volunteers and city staff to achieve the HCD designation, the previous city council narrowly approved the proposal. A newly elected council has withdrawn support, but the developer is forging ahead to the OMB." Members of the community are looking at raising as much as \$300,000 in legal fees.

Meanwhile, from the developers' perspective, costs are escalating while their projects are delayed. In many of these cases, elected officials, residents and developers are so locked in conflict, their positions so entrenched, that workable compromises are beyond reach.

### **Historic Districts are the Victims of their own Success**

Historic residential neighbourhoods are becoming highly desirable places to live. Increasingly, people are looking for alternatives to long, congested commutes, and attractive, well-preserved urban

neighbourhoods are in demand. Many, however, are bringing suburban-style housing preferences with them—which often means vast square footage, extensive amenities and multi-car garages.

The challenge for owners, architects and planners is finding ways to accommodate expansion without sacrificing the heritage character-defining elements of buildings and the historic neighbourhoods they're located in.

The city of Victoria's entire historic Old Town is designated a heritage conservation area. According to Rick Goodacre, executive director of Heritage BC, each building there is treated as if it were designated.

"Victoria has an active conservation program with political support. It has a well-established culture of conservation," he says.

Mr. Lazear believes that people—not just in Ottawa, but anywhere in Canada—must realize that while the HCD designation can be a very effective heritage-planning tool, it has competition. Even though a city council may adopt the guidelines for a heritage conservation district, "sometimes they come up against other municipal policies such as the official plan or zoning bylaws that conflict with HCD objectives."

Mr. Goodacre understands the problem only too well. "Even in Victoria, where there is a general agreement that the historic Old Town is a good thing, even among the business and tourism sectors, we're facing unprecedented development pressure. We're regularly seeing proposals for 20-storey or 24-storey towers."

The heritage community in B.C., he notes, recognizes that "heritage preservation is not just about building by building, but about whole neighbourhoods, districts, areas and streetscapes. However, the real issue now is making heritage conservation areas work."

Mr. Goodacre adds that individual properties are only designated with the owner's permission. The problem with designating a whole heritage conservation area is that "it may catch a lot of people under its net who haven't really thought through what it means. They may only realize later that there are impediments when they try to alter their property."

Raising public awareness may be part of the answer. Some Ontario communities have developed a stewardship kit, which is given to all property owners in the HCD and to new owners when they move in. It outlines the key objectives of the designation, summarizes the design guidelines and explains the difference between major and minor alterations.

### **Prevention Strategies**

"We have enough tools under the Ontario Heritage Act, under the official plan, under zoning bylaws, under the planning act.... We don't need any more tools or legislation in Ottawa," states Mr. Lazear.

"What we need are good developers who will not be motivated exclusively by profit and who enjoy the beauty of the projects as opposed to just building the highest or biggest," he says.

Historic areas should not be immune to infill and intensification. Heritage buildings and districts need ongoing financial investment in the renewal that can come with adaptive reuse and compatible new



The challenge for 456 Lansdowne Road is finding a way to expand without sacrificing the heritage elements of the house and its historic neighbourhood.

construction. Underused historic structures and vacant land are often available for new investment and rehabilitation.

Teardowns can be avoided by encouraging owners and architects to design additions that protect and enhance an existing building's heritage character.

Municipalities may also consider financial assistance and/or tax incentives to encourage and support owners of heritage properties in recognition of the community's interest in maintaining its heritage.

The protection of heritage conservation districts can be improved through "consistency of management at city hall and with the community's vigilance," said Mr. Lazear. "There is always a threat somewhere; we can never be complacent. We need to profile good examples of sensitive infill and celebrate good development. A municipal award of excellence program that recognizes good designers and developers is an important incentive."

### **Municipal Tools to Support Good Preservation**

Practice:

- Heritage impact assessment studies
- Area site plan controls
- Tree preservation bylaws
- Subdivision development agreements
- Heritage conservation easements
- Park/corridor area management plans
- Community improvement area programs
- Municipal cultural planning
- Cultural heritage master plans
- Density transfers
- Environmental assessments
- Signage controls
- Design award programs