

Town of Stouffville

Heritage Conservation District Plan

O'Brien Avenue / Village Centre South HCD

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(FINAL)

Prepared for:
The Town of Whitchurch-Stouffville

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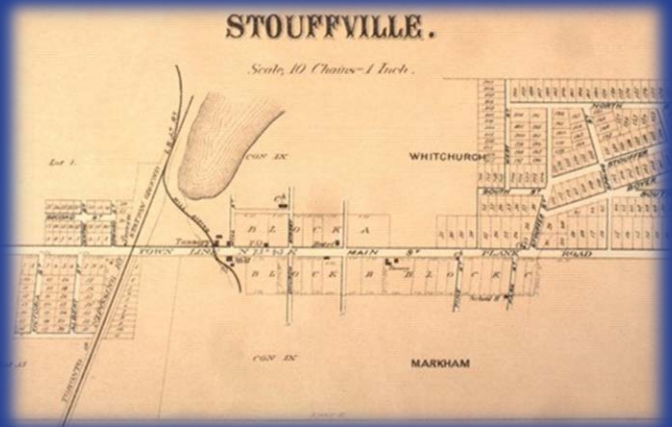


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PART I – HCD Framework

1.0 Introduction

1.1 Background

The O'Brien Avenue / Village Centre South Heritage Conservation District is a primarily residential neighbourhood located generally south of the downtown commercial core, and contains a range of late-19th century and early-20th century residential properties. Portions of the District also contain contemporary infill development, but overall the area has a consistent character and feel.



Figure 1: O'Brien Avenue / Village Centre South Heritage Conservation District

The O'Brien Avenue / Village Centre South District includes properties on Blake Street, Lloyd Street, O'Brien Avenue, Market Street, Somerville Street, and Burkholder Street.

In 2021, the Town of Whitchurch-Stouffville commenced work on a Heritage Conservation District Study (HCD Study) for areas containing and surrounding the core area of the Community of Stouffville. The purpose of the HCD Study was to complete a review of both the historic and current conditions of the area through extensive research and site visits, in order to determine if there is rationale for creating an HCD.

This work concluded that a portion of the original study area warranted consideration for designation under Part V of the *Ontario Heritage Act*, and Council approved the recommendation to proceed with the preparation of District Plans for the character areas identified. In spring 2023, the Town retained MHBC to undertake the preparation of District Plans for the three residential character areas as a first phase of implementation.

The O'Brien Avenue / Village Centre South Heritage Conservation District Plan is based on the best practices as expressed in the *Standards and Guidelines for the Conservation of Historic Places in Canada*, as well as the guidance outlined in the HCD Study previously prepared by a project team led by MHBC. The Plan is prepared to be consistent with the most recent changes to the *Ontario Heritage Act*, the 2020 Provincial Policy Statement and the Ontario Heritage Toolkit.

1.2 Provisions of the *Ontario Heritage Act*

The *Ontario Heritage Act* originally came into force in 1975, and is the primary piece of legislation that governs the designation, conservation, and management of cultural heritage resources in the Province. Part V of the *Ontario Heritage Act* allows municipalities to designate lands as a heritage conservation district, and Section 41(1) states:

The council of the municipality may, by by-law, designate the municipality or any defined area or areas of it as a heritage conservation district if:

- a) there is in effect in the municipality an official plan that contains provisions relating to the establishment of heritage conservation districts; and*
- b) where criteria for determining whether a municipality or an area of a municipality is of cultural heritage value or interest have been prescribed, the municipality or any defined area or areas of the municipality meets the prescribed criteria.*

Once a heritage conservation district has been designated by a municipality, the *Ontario Heritage Act* provides specific guidance regarding matters such as consistency with the

District Plan, conflicts with the District Plan, and alternations and demolition of buildings.

"Consistency with heritage conservation district plan

41.2 (1) Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,

- (a) carry out any public work in the district that is contrary to the objectives set out in the plan; or*
- (b) pass a by-law for any purpose that is contrary to the objectives set out in the plan.*

Conflict

(2) In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force.

Erection, demolition, etc.

42. (1) No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

- 1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
- 2. Erect any building or structure on the property or permit the erection of such a building or structure.*
- 3. Demolish or remove, or permit the demolition or removal of, any attribute of the property if the demolition or removal would affect a heritage attribute described in the heritage conservation district plan that was adopted for the heritage conservation district in a by-law registered under subsection 41 (10.1).*
- 4. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property. 2005, c. 6, s. 32 (1); 2019, c. 9, Sched. 11, s. 19 (1); 2022, c. 21, Sched. 6, s. 7 (1)."*

The *Ontario Heritage Act* also provides clear guidance regarding the process to designate a heritage conservation district, as well as the required contents of a heritage conservation district plan. Subsection 41.1 (5) of the Act provides that a heritage conservation district plan shall include:

- a) a statement of the objectives to be achieved in designating the area as a heritage conservation district;*

- b) a statement explaining the cultural heritage value or interest of the heritage conservation district;*
- c) a description of the heritage attributes of the heritage conservation district and of properties in the district;*
- d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and*
- e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42.2005, c.6,s.31.*

The study team has ensured that this District Plan contains the required information related to these sections of the *Act*. Accordingly, Section 2.0 contains the required plan components provided for in (a), (b) and (c). The requirements set out in (d) are found in Part II, and those in (e) are described in Part III.

1.3 Who should use this District Plan?

The O'Brien Avenue / Village Centre South Heritage Conservation District Plan is organized in a way to respond to those who are directly responsible for conserving the heritage character and heritage attributes in the District, notably:

- Property owners and residents, and
- Town staff responsible for undertaking public works projects and reviewing development applications.

The policies and guidelines are also to be used by the Municipal Heritage Committee and Town staff in providing advice to the Council of Town of Whitchurch-Stouffville in making decisions on heritage permits under Part V of the *Ontario Heritage Act*. Under Section 42 of the *Ontario Heritage Act*, a heritage permit is required for the erection, demolition, removal or external alteration of a building or structure within a designated heritage conservation district. The Act defines the term 'alter' as meaning to change in any manner and includes to restore, renovate, repair or disturb. 'Alteration' has a corresponding meaning.

1.4 Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS is to be read in its entirety and the relevant policies applied to each situation. All municipal decisions must be consistent with the policy direction contained within the PPS.

The PPS contains broad-level policies related to cultural heritage and archaeological resources in Section 2.6. This section directs that significant cultural heritage resources shall be conserved, and that development on adjacent lands will not be permitted unless it is demonstrated that heritage attributes will be conserved.

"2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

..."

2.6.3 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."

A number of important definitions related to cultural heritage matters are included in the PPS, and have been incorporated into this Heritage Conservation District Plan.

1.5 Other applicable policies and guidance

There are several documents that provide guidance related to cultural heritage conservation, and serve as sources of information for the O'Brien Avenue / Village Centre South Heritage Conservation District Plan.

Standards and Guidelines for the Conservation of Historic Places in Canada

The Standards and Guidelines for the Conservation of Historic Places in Canada were released in 2002 (with updates in 2010). This document was produced by Parks Canada and contains applicable guidance related to understanding historic resources and determining types of interventions, as well as best practices related to cultural heritage landscape conservation and building conservation. The Standards and Guidelines for the Conservation of Historic Places in Canada has also been referenced by many municipalities as a source of best practices related to heritage conservation.

The Standards and Guidelines contain the following fourteen standards related to the conservation of historic places in Canada:

General Standards for Preservation, Rehabilitation and Restoration

- 1. Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character defining elements. Do not move a part of an historic place if its current location is a character-defining element.*
- 2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.*
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.*
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.*
- 5. Find a use for an historic place that requires minimal or no change to its character-defining elements.*
- 6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.*
- 7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.*
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.*
- 9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.*

Additional Standards Relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where*

sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

- 11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.*
- 12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.*

Additional Standards Relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.*
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.*

The Standards and Guidelines goes on to include guidelines for the conservation of historic places, and includes matters such as the various components of cultural landscapes (which includes heritage conservation districts), archaeological sites, buildings, engineering works, and materials.

Ontario Heritage Toolkit

The Ontario Heritage Toolkit is a collection of documents authored by the Province that provide guidance related to a variety of cultural heritage planning matters. One document relates specifically to heritage conservation districts, and provides information related to the steps to undertake in designating a district. The introduction of the section describing what a heritage conservation district is notes that a heritage district *"...enables the council of a municipality to manage and guide future change in the district, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the area's special character."*

The Province also previously published Information Sheets from time to time, and one such publication is entitled *Eight Guiding Principles in the Conservation of Built Heritage Properties*, and was published in 2007. Decisions related to the conservation of historic structures may be guided by the following principles which lay out a straightforward approach to planning for the conservation of these resources:

- 1) ***"Respect for documentary evidence:*** *Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.*
- 2) ***Respect for the original location:*** *Do not move buildings unless there is no other means to save them. Site is an integral component of a building or structure. Change in site diminishes cultural heritage value considerably.*
- 3) ***Respect for historic material:*** *Repair/conservé - rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the heritage content of the built resource.*
- 4) ***Respect for original fabric:*** *Repair with like materials. Repair to return the resource to its prior condition, without altering its integrity.*
- 5) ***Respect for the building's history:*** *Do not restore to one period at the expense of another period. Do not destroy later additions to a building or structure solely to restore to a single time period.*
- 6) ***Reversibility:*** *Alterations should be able to be returned to original conditions. This conserves earlier building design and technique, e.g. When a new door opening is put into a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.*
- 7) ***Legibility:*** *New work should be distinguishable from old. Buildings or structures should be recognized as products of their own time, and new additions should not blur the distinction between old and new.*
- 8) ***Maintenance:*** *With continuous care, future restoration will not be necessary. With regular upkeep, major conservation projects and their high costs can be avoided."*

2.0 District Significance, Heritage Attributes and Objectives

2.1 Introduction

Part V of the *Ontario Heritage Act* requires that a heritage conservation district plan contain a statement explaining the cultural heritage value or interest of the heritage conservation district, a description of heritage attributes, and a list of objectives to be sought in designating the area. The following subsections provide the required statement of significance, heritage attributes, and objectives.

2.2 Statement of District Significance

The neighbourhood is representative of a late 19th and early 20th century residential neighbourhood that has continued to evolve over time. The District character is primarily defined by Late Victorian and Gothic housing types, with repetition of similar plans. Front and side gable roof types are most common, as are two and three bay façade arrangements. Generous porches are present on most buildings, and provide a link between private residences and the public streetscape.

Streets feature grassed boulevards on one or both sides of the street, open and landscaped lawns with little front yard fencing, and mature trees that provide a canopy to the street and rich vegetated character. Sidewalks are present on one or both sides of the street.

Coherence in the District is evident in a general low-profile residential character between one and two-and-one-half storeys, with relatively consistent setbacks from the street.

2.3 List of heritage attributes

The following is a list of heritage attributes associated with the O'Brien Avenue / Village Centre South Heritage Conservation District:

- Named after James O'Brien who was a constable of the Village of Stouffville
- Many of the dwellings were originally inhabited by local merchants, company owners and railway workers;
- Concentration of Late Victorian and Gothic architectural styles;

- Predominant use of red brick ornamentation, clapboard and architectural elements such as open gable roofs and verandahs;
- Original avenue terminated at Rose Avenue at the entrance to the laneway to the former Christian Hoover family farm;
- Retains lot pattern of Plan 858 from 1888 for William Sommerville (O'Brien Ave) and Plan 1073 in 1890 by R.J. Daley and Frank Sangster (extension of Rose Ave, O'Brien Ave and part of Burkholder St) including narrow, deep lots and consistent front yard setbacks; and,
- Tree lined boulevard.

2.4 Goals and objectives of designation

2.4.1 Conservation goals

General goals associated with the management and conservation of cultural heritage resources within the O'Brien Avenue / Village Centre South HCD are as follows:

- To protect and enhance the existing 19th century and early 20th century residential character of the O'Brien Avenue / Village Centre South Heritage Conservation District.
- To conserve the District's heritage attributes by allowing only those changes that are compatible with the built form and consistent with the cultural heritage value of the District.
- To encourage decision-making that is consistent with the cultural heritage value of the O'Brien Avenue / Village Centre South Heritage Conservation District.
- To manage change through the review and approval of heritage permit applications.

2.4.2 Conservation objectives

Objectives build on the general goals identified above, and provide more detailed direction regarding the implementation of the District Plan. A number of objectives are sought through the designation of the O'Brien Avenue / Village Centre South Heritage Conservation District to achieve the goals above:

- a) To maintain and conserve the cultural heritage character and heritage attributes of the identified character areas within the Community of Stouffville HCD Study Area;
- b) To ensure the continued appreciation, enhancement and interpretation of the heritage resources located within the recommended boundary;
- c) To avoid the loss or removal of heritage buildings and landscape features and encourage only those changes that are undertaken in a manner that if such alterations were removed in the future, impacts to the essential form and integrity of the heritage property and materials would be minimized or avoided;
- d) To encourage building and property owners to make repairs and undertake maintenance of property in order to conserve the overall character and appearance of the District and preserve authentic heritage fabric;
- e) To maintain the low-profile built form within the District, which is generally that of a 1.5 -2.5-storey building height, and to permit greater heights where it is compatible with the District objectives;
- f) To support existing uses and the appropriate adaptive re-use of heritage buildings;
- g) To prevent the establishment of those land uses and associated built forms which would be out of keeping with or have adverse effects on the identified character of the District;
- h) To prevent the demolition of existing buildings, natural features, or structures which are contributing to the identified heritage character, unless necessary for matters related to public safety;
- i) To embrace appropriate new development or infill that is sensitive to, compatible with, and distinguishable from the character of the District;
- j) To support the continuing care, conservation and maintenance of heritage properties wherever appropriate by providing guidance on sound conservation practice and encouraging applications for funding for eligible work; and
- k) To examine available financial incentive programs and funding sources, and support the adoption of other appropriate funding programs within the Town's capability to provide ongoing support to District property owners for applicable projects.

PART II – Policies and guidelines for managing change

3.0 Introduction

The O'Brien Avenue / Village Centre South Heritage Conservation District Plan follows from the Stouffville Heritage Conservation District Study process previously completed on behalf of the Town. This District Plan should be read with reference to the preceding HCD Study and accompanying property inventory (see **Appendix A**).

The purpose of the O'Brien Avenue / Village Centre South Heritage Conservation District Plan is to ensure that continuing change is managed in a way that protects and conserves the character and heritage attributes of the District. An important overall objective in the District guidelines is to encourage change that is in keeping with, and respects, the existing character and cultural heritage values and attributes of the District. Changes to the District shall not diminish or detract from the character, history, cultural heritage values and integrity of the District. Physical change within the O'Brien Avenue / Village Centre South Heritage Conservation District is expected to include alterations and additions to properties, new construction and infill development, and works undertaken within the public realm.

The guidelines recognize that there is a role for both restoration of historical features and the addition of complementary design that will add features that comply with the requirements. Over the long term of the plan, it is intended that neighbourhood character will be conserved and enhanced. As such, the HCD Plan serves to guide physical change over time so it contributes to, and does not detract from, the District's historical *character*.

The guidelines recognize that there is a role for both restoration of historical features and the addition of complementary design that will add features that comply with the requirements. It is anticipated that changes to exteriors of properties will be managed through the review and approval of heritage permit applications under Part V of the *Ontario Heritage Act*. These permit applications will be considered in the context of the guidelines in this document. It should be noted that these guidelines will also apply to properties located within the District that are also designated under Part IV of the *Ontario Heritage Act*.

3.1 Classification of properties

While each property – either privately or publicly owned – is designated as part of the O'Brien Avenue / Village Centre South Heritage Conservation District, the District Plan recognizes differences among *contributing* properties and *other properties*.



Figure 2: Property classification for O'Brien Avenue / Village Centre South HCD

Contributing properties are real properties whose age, history, or *building* is *significant* and/or complementary to the District. *Contributing properties* may include both older *buildings* that are of historic interest, as well as more recent *buildings* that are of a scale, type and built form that contributes to the District *character* according to Section 3.3. *Contributing properties* are listed in this Plan, shown on the accompanying map, and described and illustrated in the HCD Property Inventory, **Appendix A**.

Other properties are real properties whose main *building* is of a scale or form that do not meet the criteria for the District's *character* as described by Section 2, and include contemporary single-detached dwellings, or properties that have been heavily modified

by past activities. *Other properties* are listed in the Plan, shown on the accompanying map, and described and illustrated in the HCD Property Inventory, **Appendix A**.

Regardless of the class of property, work on any property should be executed in a way that conserves or enhances the District's historical *character*.

3.2 Format of guidelines

These guidelines are organized into a number of sections that address contemplated or potential changes to property within the O'Brien Avenue / Village Centre South Heritage Conservation District. Each subsection provides direction or advice on alterations to contributing properties and other properties, infill development, landscape, accessibility, public works, and green energy, as noted below:

- Alterations and additions to properties classified as *contributing*
- Alterations and additions to properties classified as *other*
- Infill development and adaptive re-use
- Demolition and removal of buildings and structures
- Landscape conservation and design guidelines for private and public property
- Accessibility
- Sustainability and energy conservation
- Lands adjacent to heritage conservation districts
- Exempt alterations and classes of alterations

The subsections have further been organized into 'policies' and 'guidelines' where applicable.

'Policies'	are requirements that must be followed when undertaking alterations to buildings or changes to properties.
'Guidelines'	are best-practice suggestions to be considered when undertaking alterations to buildings or changes to properties.

Not all policies and guidelines will apply in every case and their application will depend on the nature of each proposal. Heritage Permit Applications and Cultural Heritage Impact Assessments, where required, should identify and address all the applicable policies and guidelines.

3.3 Cultural heritage impact assessments

A *cultural heritage impact assessment* (CHIA) is a report prepared by a qualified heritage consultant that provides a historical background on a property, documents the physical attributes of the property, and rationalizes how the property will be mitigated through the development process. A CHIA will also describe how the proposed development conforms to the applicable policies and guidelines of this Plan. In cases where proposed development does not conform with one or more of the applicable policies or guidelines of this Plan, the CHIA shall address whether the proposal impacts the District's significance, heritage attributes and objectives, and should include any appropriate mitigation measures.

- a) CHIAs are required to be submitted with Heritage Permit applications for the demolition of *buildings* and all new construction.
- b) CHIAs are required to be submitted with Heritage Permit applications when specified by an applicable policy of this Plan.
- c) CHIAs are not required to be submitted with Heritage Permit applications for *alterations* to properties within the District that comply with the policies and guidelines of this Plan.
- d) CHIAs are not required to be submitted with Heritage Permit applications for new construction of *ancillary structures* less than 10 m².

3.4 Conservation guidance

There is a wide variety of literature available with respect to the conservation of heritage properties. Publications and websites are easily accessible to the public, and rather than repeat this information, property owners are encouraged to review these sources in order to acquaint themselves with current building and landscape conservation best practices. Some applicable sources are outlined below.

In Canada, the *Standards and Guidelines for the Conservation of Historic Places in Canada* (produced by Parks Canada) provides a sound reference document for initial guidance (available at: <http://www.historicplaces.ca/en/pages/standards-normes.aspx>).

Well-Preserved: The Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation can be used for an introduction and practical guide to *restoration* and *rehabilitation* of heritage architecture (available at: <http://www.heritagetrust.on.ca/en/index.php/pages/publications/well-preserved>).

For additional detail, a series of bulletins entitled Preservation Briefs (published by Technical Preservation Services, US National Park Service) also address a comprehensive array of topics. Representative Preservation Brief titles of interest to owners of property in the District include:

- #2 Re-pointing Mortar Joints in Historic Buildings
- #3 Improving Energy Efficiency in Historic Buildings
- #8 Aluminum and Vinyl Siding on Historic Buildings
- #9 The Repair of Historic Wooden Windows
- #10 Exterior Paint Problems on Historic Woodwork
- #32 Making Historic Properties Accessible
- #47 Maintaining the Exterior of Small and Medium Size Historic Buildings

The above papers (and others that may be of interest) are available at: <http://www.nps.gov/tps/how-to-preserve/briefs.htm>). Where not directly applicable, these papers provide advice on how to analyze a property, as well as the process to go through in selecting a plan for an alteration.

4.0 Alterations to contributing properties

The O'Brien Avenue / Village Centre South is comprised primarily of residential buildings built in the mid to late 19th and early 20th centuries. The guidelines in this section address alterations to the roof and wall planes of buildings, as opposed to additions that involve more substantial work that extends beyond the existing building envelope (see Section 5.0 for guidelines relating to additions). The intent of these guidelines is to allow for alterations, repairs and upgrading to residential buildings in a manner that respects the form and integrity of the heritage attributes and building fabric.

Property and building conservation involves maintenance, repair, *restoration*, *alteration* and new work in the form of additions. Maintenance and repair are activities that are done throughout the life of the property. An owner may also wish to restore architectural elements that have been lost, *alter* architectural elements in order to meet new demands, and add new rooms or features. While regular maintenance and necessary repair are always encouraged, returning a *contributing* property or one of its features to its original appearance or to another documented point in the property's history is only an option for owners to consider.

In addition to the following guidelines, reference may also be made to more technical advice and conservation best practices referred to earlier in this document, namely the *Standards and Guidelines for the Conservation of Historic Places in Canada* and the US National Park Service *Preservation Briefs*. Other publications on the subject may be relevant and may be consulted for detailed advice and conservation techniques.

4.1 Foundations and walls

Policies

- a) Original / historic wall materials shall be retained and conserved where feasible. Replacement with modern materials in a sympathetic style is permitted.
- b) Protect original wall surfaces from cleaning methods that may permanently alter or damage the appearance of the surface or give a radically new look to the building. Sandblasting, strong chemical cleaning solutions or high pressure water blasting are not permitted. Other methods of cleaning will be considered on a case by case basis, subject to successful test patches being conducted.
- c) The painting of previously unpainted masonry is not permitted.

- d) Ensure that surface drainage, especially from downpipes, is directed away from foundation walls.

Guidelines

- e) Brick masonry requires re-pointing from time to time and this process should be undertaken by tradespeople with experience in historic masonry techniques and materials.
- f) Generally, lime-based mortar should be used and joints should replicate the original in finish, colour and texture. Hard, cement based mortars are more rigid during freeze-thaw cycles and can cause brick units to deteriorate.
- g) The application of waterproofing and water repellant coatings should be avoided.
- h) Avoid the application of new finishes or coatings that *alter* the appearance of the original material, especially where they are substitutes for repair. *Alterations* that comprise unacceptable materials include water repellant coatings, paint on brick or stone, aluminum or vinyl siding. Materials such as concrete fibre board and synthetic wood products will be considered on a case-by-case basis.



Masonry may need to be re-pointed over time to extend its lifespan and avoid damage. Care should be taken when re-pointing to match mortars and techniques (unlike the example in the centre). Painting of previously unpainted masonry surfaces is not permitted (as in the example on the right).

4.2 Roofs

Policies

- a) Decorative roof features and original/historic roofing materials, such as slate, wood shingles, and copper on sloped roofs, shall be retained and conserved wherever possible. Replacement materials, if required, shall complement the original and/or historic materials.

- b) Many roofs within the District have asphalt shingles or metal, which may be replaced in kind.

Guidelines

- c) Vents, skylights and other new roof elements should be sympathetic in type and material and shall be located out of general view from the public realm.
- d) Roof drainage should be maintained and directed away from building foundations.
- e) Maintenance of original roof shape is encouraged.



Composite roof materials are an appropriate replacement material.

- f) The addition of solar panels or solar hot water heaters may be permitted on roofs, but shall not damage or remove heritage fabric. The installation of this type of equipment should be in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof), and not visible from the street wherever possible.
- g) Chimneys can be important heritage attributes and should be retained wherever possible. Non-functioning chimneys should be retained, capped and re-pointed where they are considered a heritage attribute of the building.

4.3 Windows

Policies

- a) Maintain original window openings and entrances as well as their distinguishing features such as materials, surrounds, frames, shutters, sash and glazing.



Changes to original window openings, as in the examples above, shall be avoided.

- b) The removing or blocking up of window and entrance openings that are important to the architectural character and symmetry of the building is not permitted.
- c) New replacement windows shall be compatible with the original/historic windows in terms of material, proportions (such as ratio of horizontal to vertical dimensions), rhythm and scale (such as number of openings per building façade). Replacement windows shall convey the same appearance as the historic window and be physically and visually compatible.

Guidelines

- d) Repairing, rather than replacing original / historic windows is encouraged, and should focus on the minimal intervention required in order to ensure the integrity of the resource. This includes limited replacement in kind, or replacement with appropriate substitute material of irreparable elements, based on documentary or physical evidence where possible.
- e) Replacing in kind irreparable windows should be based on physical and documentary evidence where possible. If using the same materials and design details is not technically or economically feasible, then compatible substitute materials or details may be considered.
- f) Improvement in energy efficiency of single glazed units may be achieved with traditional exterior wood storm windows or contemporary interior magnetic storm glazing.
- g) Where historic documentation is available, replacement windows may be reproductions of earlier windows.



Maintain original openings and replace materials in kind or with sympathetic materials.

4.4 Entrances

Policies

- a) Protect and maintain entrances on principal elevations.
- b) Character-defining porches or verandahs (e.g. part of the original design and facing the street) shall only be removed where they pose a life / safety threat. In such cases, they shall be thoroughly recorded prior to removal to allow for their accurate reconstruction.
- c) The design and construction of a new entrance / porch is required to be compatible with the character of the building. Restoration of a missing porch must be based upon historical, pictorial and physical documentation.

Guidelines

- d) Entrance ramps may be permitted for barrier-free access in accordance with applicable legislation, but should not be physically attached to avoid damage to the heritage building fabric.
- e) Important features such as doors, glazing, lighting, steps and door surrounds should be conserved wherever possible.
- f) Where new entrances or exterior staircases are required, they should be installed on secondary elevations wherever possible.
- g) Wood is encouraged to be used in the construction of new entrances and porches. Other materials, such as synthetic wood products will be considered on a case by case basis through the heritage permit process.



Front porches and entrances oriented to the street are a character-defining attribute of the District. Porches should be maintained and/or appropriately replaced when necessary.

4.5 Features and spaces around buildings

Policies

- a) Driveways, walkways, fences and walls that contribute to the character of the space around a heritage building shall be maintained.
- b) Keep parking areas, *ancillary structures*, and utilities such as heat pumps to the side or rear wherever possible. In the case of corner lots, additional screening should be considered.
- c) Significant soil disturbance may require an archaeological assessment in accordance with municipal and Provincial policies to ensure archaeological resources are not affected.
- d) Proper site drainage shall be maintained to ensure that water does not damage foundation walls, and pool or drain towards the building.

4.6 Signs

Policies

- a) Small scale signs, such as address signs or commemorative plaques, or small business signs are appropriate landscape features and are permitted.
- b) Signs that are backlit, contain flashing or animated lights, or neon lights are not permitted.

4.7 Removal of heritage building fabric

Policies

- a) Heritage building fabric shall be repaired rather than replaced where possible. When undertaking repair, replacement or restoration, use the same materials as the original.
- b) The removal of heritage building fabric shall be kept to a minimum, and only permitted where required to integrate an addition with the original building.

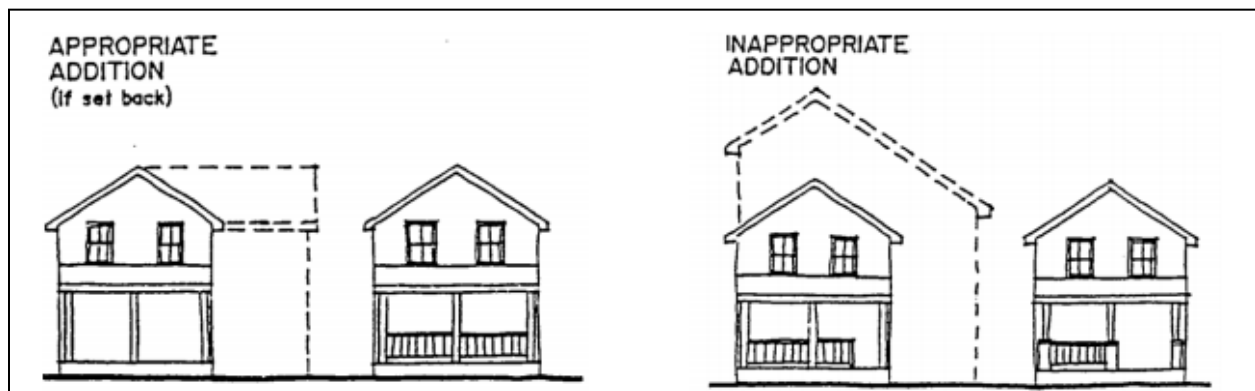
5.0 Additions to contributing buildings

This section outlines guidelines for additions to residential buildings within the District. Additions are an important aspect of building evolution. The intent of these guidelines is to ensure that additions to residential buildings do not result in the loss of heritage building fabric, are designed in a way that clearly differentiates them from the original building fabric and are compatible with the character of the District. The following guidelines apply to the construction of additions:

5.1 Location, massing and height

Policies

- a) Additions are not permitted on the front façade, and shall be located at the rear or to the side of the main building.
- b) The height of the roof ridge in new additions shall not exceed the height of the ridge of the original building.
- c) Additions shall be limited in size and scale in order to complement the existing building and neighbouring properties.



Examples of appropriate and inappropriate addition locations.

5.2 Design

Policies

- a) New additions shall be designed in a manner which distinguishes between old and new, and that avoids replicating the exact style of the existing heritage building, or imitating a particular historical style or period of architecture.

Guidelines

- b) Contemporary design of additions or those additions that reference design motifs of the existing building is to be encouraged. Compatible additions are complementary in terms of scale, mass, materials, form and colour.

5.3 Roofs

Policies

- a) The original roof configuration at the front of the building shall be maintained and not obscured by any addition. Similarly, roofing materials and associated features, such as fascia, trim, and brackets shall be retained and not obstructed.
- b) Ensure that vents, skylights and other new roof elements are sympathetic in type and material and that they are discretely placed out of general view from the street and public rights-of-way.
- c) Roof drainage shall be maintained and directed away from building foundations.

Guidelines

- d) Roof types encouraged in new construction are front, side, and cross gabled and hipped, and should be compatible with or sympathetic to the roof type of the main structure. In some cases, alternative roof types may be explored in order to be compatible with the existing building (e.g. gambrel roof found on Dutch colonial dwellings).
- e) Decorative roof features and original roofing materials such as slate, wood shingles, and copper on sloped roofs should be retained and conserved wherever possible.

5.4 Windows and entrances

Policies

- a) Additions to residential buildings shall protect and maintain original and/or historic window openings as well as distinguishing features such as materials, surrounds, frames, shutters, sash and glazing on principal façades.
- b) Additions to residential buildings shall avoid removing or blocking up window openings that are important to the architectural character and symmetry of the building.

- c) Ramps may be permitted for barrier-free access in accordance with applicable legislation, but shall not be physically attached to avoid damage to the heritage building fabric.

Guidelines

- d) New windows on additions visible from the public realm should be compatible with the windows of the original structure in terms of proportions (such as ratio of horizontal to vertical dimensions), rhythm and scale (such as number of openings per building façade). However, it is not necessary to replicate original windows in terms of their historical details.
- e) Additions to residential buildings should protect and maintain entrances on principal elevations that are key elements in defining the character of a building. Conserve important features such as doors, glazing, lighting, steps and door surrounds.
- f) Where new entrances or exterior staircases are required, they should be installed on secondary elevations and/or set back from the existing front building elevation.

5.5 Exterior cladding

Policies

- a) Exterior cladding on additions to residential buildings shall be compatible with the cladding material of the original structure, but should be a different and distinct material from the original building in order to be distinguishable as a later addition. Additions replicating the original cladding material are discouraged.

Guidelines

- b) The application of new cladding, surfaces or coatings, including synthetic materials such as vinyl or aluminum siding, acrylic stucco, and Exterior Insulation and Finish Systems (EIFS) are discouraged on building facades facing the public realm. These materials and others, such as fibre cement board, metal panels, synthetic wood products, and other modern materials will be considered on a case by case basis.

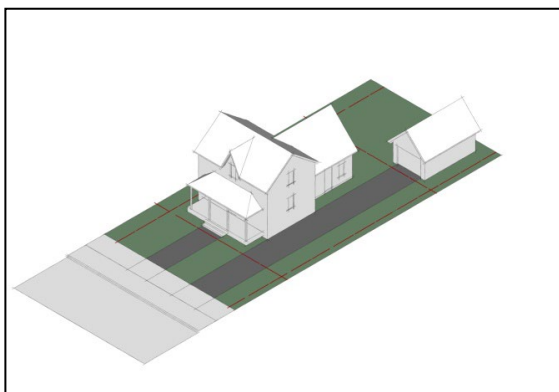
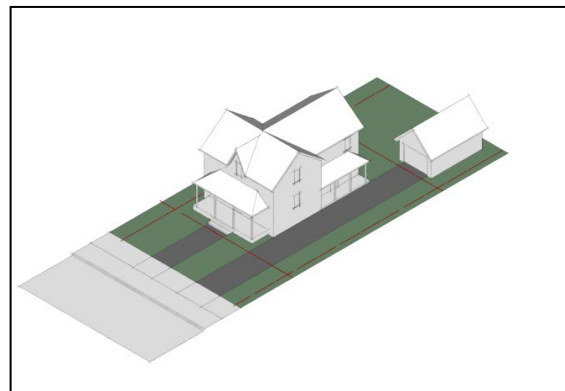
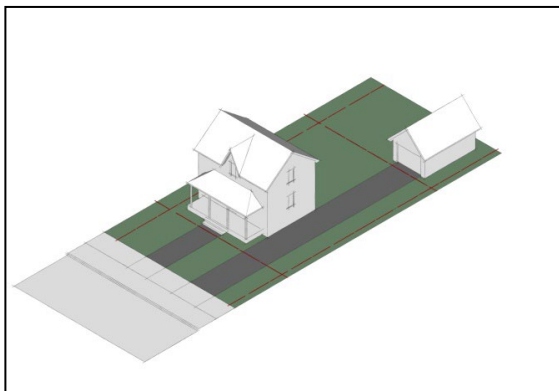
5.6 Outbuildings

Policies

- a) Outbuildings on residential property may be permitted but shall be located behind the wall plane of the front façade of the residential building.
- b) The construction of small-scale outbuildings in the rear yard (garden sheds, green houses, etc.) shall be permitted.
- c) The construction of additional dwelling units shall be permitted, in accordance with Town and Provincial policies and regulations.
- d) Outbuildings shall not be taller than the existing residential structure on the property.

Guidelines

- e) New outbuildings should be distinct from heritage building fabric with regard to materials and detailing. Replicas of historic outbuildings are not required.



The above and left illustrations show recommended forms and setbacks for additions that are located to the rear of the building. Potential locations for new garages or ancillary structures are also depicted. A key consideration is that outbuildings are subordinate to the main structure (i.e. 3-car garages would not be an appropriate scale), and that open space is retained on the property.

6.0 Alterations and additions to other properties

Policies

- a) When additions to buildings on other properties are proposed, the design will respect the District's general historical character but integrate with the existing building.
- b) In designing additions, property owners will also have regard for any impact the addition may have on adjacent properties in terms of scale, massing, height and setback.

Guidelines

- c) Exterior additions are encouraged to be located at the rear or on an inconspicuous side of the *building*, limited in size and scale to complement the existing *building* and neighbouring properties.
- d) New additions should be no higher than the existing building height. Where additions are proposed that exceed the existing building height, a heritage impact assessment may be required, in order to demonstrate that the additional height does not negatively impact the District.
- e) New additions should be designed in a building mass that extends rearward in depth on the lot rather than along the horizontal width.
- f) In streetscapes of similar *building* setbacks new construction should match existing.
- g) Roof types encouraged in new construction are front gabled and side gabled. Flat roofs are permitted for additions to existing multi-unit residential buildings, and new multi-unit residential buildings on other properties.
- h) Most of the properties in the District are clad in traditional materials such as brick, stucco or wood siding. These materials are encouraged for new additions.
- i) Synthetic materials such as vinyl or aluminum siding are discouraged. Materials such as concrete fibre board, concrete panels and synthetic wood products will be considered on a case by case basis.
- j) The installation of Exterior Insulation and Finish Systems (EIFS) on *buildings on other properties* is discouraged within the District.

7.0 Infill development

There may be locations within the O'Brien Avenue / Village Centre South District where infill development may occur over time, if buildings that do not contribute to the historic or architectural character are demolished or other circumstances arise to allow infill construction. New construction is permitted, provided it is compatible with the heritage character and conforms to the policies in this section. New infill shall follow other applicable Town of Whitchurch-Stouffville guidance regarding site design and urban design.

7.1 New freestanding construction

Policies

- a) New freestanding construction will be required to be compatible with the heritage character and attributes of adjacent heritage properties and the cultural heritage value of the District. This means adhering to the character of the surrounding neighbourhood of the District with regards to lot patterns, heights, massing, setback, building scale, roof pitches and exterior materials.
- b) New construction shall be a product of its own time and not pretend to be historic by incorporating historic detail that is inappropriate in contemporary construction. New design may be a contemporary interpretation of historic forms and styles, but replicas of historic buildings are discouraged.
- c) Maintaining the height and rhythm of the existing streetscape will unify the District. Blank façades that face the street or are easily visible from the street are not permitted.
- d) The District contains a variety of roof forms, including front gable, side gable, cross gable and hipped. Any of these roof forms in a low to moderate pitch are appropriate for new infill. Where a dominant or consistent pattern exists within the streetscape, this shall be followed.
- e) Windows and entrance doors on the primary elevations of new buildings shall be compatible with the character of the neighbourhood, reflecting typical shapes, orientation and composition found within the District.



Photo credit: MHBC



Photo credit: George Robb Architect



Photo credit: Globe & Mail



Photo credit: Google StreetView

Examples of suitable new construction which fits into the neighbourhood scale and form, but which is also distinct from historic homes.

8.0 Demolition and removal of buildings and structures

Building demolition is not prohibited by the *Ontario Heritage Act*, but it will be actively discouraged within the O'Brien Avenue / Village Centre South Heritage Conservation District. Property owners are encouraged to work with existing heritage buildings, altering and adding to them in a sympathetic manner, rather than demolishing and building anew.

8.1 Demolition of buildings and structures

Policies

- a) The demolition of buildings and structures on contributing properties (as classified in Section 3.1) shall not be permitted. Exceptions may only be considered:
 - i. In extenuating circumstances such as natural disasters (e.g. fire, flood, tornado, and earthquake),
 - ii. Where there is a greater public interest served (e.g. health and safety concern), as determined by Council, through the demolition of the building or structure, or
 - iii. Where it is determined through a Heritage Impact Assessment that the building is not a contributing structure to the heritage character of the District.
- b) Further to 8.1.a.i), other extenuating circumstances shall generally constitute those situations where public health and safety is considered to be compromised and the Town of Whitchurch-Stouffville's Chief Building Official has received structural assessment advising that a building or structure is beyond repair and has been determined to be unsafe. The structural assessment must be prepared by a professional engineer with expertise and experience in heritage buildings and structures.
- c) The property owner shall demonstrate that all other options have been investigated including: preservation; rehabilitation; restoration; retro-fitting; re-use; mothballing; etc. and that they are not viable options.
- d) Where Council considers an application for demolition under 8.1.a.ii), financial impact shall not be the sole reason in determining that demolition is a greater public interest.

- e) Should a heritage permit for demolition of a building that contributes to the heritage character or heritage attributes of the District be submitted to the Town, the following conditions shall be met:
 - i. The property owner shall retain an appropriately qualified heritage professional to evaluate the potential loss to the cultural heritage value of the District in support of the demolition request of a heritage building, in the form of a cultural heritage impact assessment.
 - ii. It shall be required that the property owner shall provide drawings for a new building / site landscaping with the heritage permit application. In extenuating circumstances where demolition has been required as a result of natural disaster or public safety concerns, once a building has been demolished and the property is considered to be in a stable and safe state the property owner shall submit the required heritage permit application for a new building and / or site landscaping within six months of site clearance.
 - iii. A record of the building or the remains of the building through photography and/or measured drawings may be required as a condition of demolition approval, at the discretion of Town Planning Staff and/or the Heritage Committee.
 - iv. Within two years of that submission, or as mutually agreed upon by the property owner and the Town of Whitchurch-Stouffville (but in no case greater than 5 years), if new construction has not been completed, the provisions of the *Ontario Heritage Act* regarding enforcement shall apply with respect to contraventions of the Act.

8.2 Removal of buildings and structures

Policies

- a) The removal or relocation of contributing buildings and structures shall generally not be permitted. Exceptions may only be considered in certain extraordinary and/or temporary situations with the submission and approval of a heritage permit application by Town Council.
- b) It is expected that any building proposed for removal or relocation shall be recorded, disassembled, stored in a climatically controlled and secure storage facility until such time that it is reassembled on-site in its original location.

9.0 Landscape conservation and design guidance for private property

Landscape features are an important component of the character of the District. The following guidance applies to both contributing and other properties within the District.

9.1 Historical landscape features

Guidelines

- a) There should be maximizing of soft landscapes particularly along the sidewalk frontages. This means that paved parking areas should be limited within the front yards and that the front entranceway should remain visible from the street, following this historic pattern.
- b) Trees may be added on private property along the frontage where there is no conflict with buildings or with servicing or overhead wires or street trees in the public right-of-way. This will enhance the pedestrian environment by providing more shade.

9.2 Fencing, walls and steps

Guidelines

- a) Where possible, use historical photographs or documentation to guide the addition of these types of landscape features
- b) Where historical documentation cannot be found, similar patterns may be created by studying historical photographs of the adjacent residential areas for guidance and inspiration.
- c) In order to define the edge of the property and separate private from public lands, ornamental metal or wood fences (maximum 1.2 metre in height in front yard) or hedging of deciduous shrub material are appropriate. Lower heights may be necessary in some circumstances in order to maintain visibility where a driveway crosses a sidewalk.

9.3 Screening and buffering

Guidelines

- a) Landscape components, such as ornamental fences or hedging of deciduous shrub material, may be used to complete the screening or buffering of garbage storage areas or service areas that are visible from the public right-of-way.

- b) Screening using fencing or evergreen material may be used to block the views whereas buffering is defined as allowing filtered views through the material such as deciduous shrub border or a partially enclosed fence (e.g. picket fencing).

9.4 Surface treatments

Guidelines

- a) The selection of materials for walkways and driveways should be undertaken to enhance and complement the pedestrian environment.
- b) Accessibility should be considered in the selection of materials and installation (refer to the *Accessibility for Ontarians with Disabilities Act* guidelines).
- c) From the late-19th century onwards, concrete was a building material that was widely used for walkways and steps and is an appropriate material for current use. Other suitable materials include flagstone or pavers that do not overwhelm or compete visually with the cohesive appearance of the frontage of the structures. Asphalt or gravel is an acceptable material for driveways. Other materials may be considered on a case by case basis through the heritage permit process.

9.5 Trees and other plant materials

Guidelines

- a) In the past there was a preference for non-native plant materials and very little consideration for using native plant material only. In the 19th century when many of these properties were developed, there was a widespread use of the latest horticultural introductions in the residential landscape. As a result, a variety of both native and non-native plant materials would be appropriate for replanting in the area. Appropriate species may include: Sugar Maple, Silver Maple, Mountain Ash, Norway Spruce, White Spruce, Catalpa, Horse Chestnut, Honey Locust, Gingko, Tulip Tree, Basswood and Blue Beech.
- b) Additional plant material for residential properties should include a wide palette of species suitable for the narrower planting locations available. Hedging and shrub borders historically included a range of smaller plants. These may include: Lilac, various types of Viburnum, Fragrant Currant, Deutzia, Mock Orange, Japanese Quince, Rose of Sharon, Smoke Bush, Spindle Tree, Weigela, Dogwood, Privet, Alpine Currant and Flowering Almond.

- c) In addition to these trees and shrubs, a wide variety of perennials, bulbs and vines may be added to provide seasonal accents. This is in keeping with the late 19th and early 20th century pattern of residential landscaping which celebrated a range of horticultural introductions.
- d) The selection of trees should also be guided by current environmental considerations. For example, Norway Maple and Ash species are no longer planted because of the presence of the emerald ash borer and concerns about the spread of Norway Maples into natural areas which has potential to negatively impact native vegetation.

9.6 Amenity lighting

Guidelines

- a) Historically, there was very little amenity lighting provided on residential properties. Notwithstanding the lack of historical precedents, amenity lighting is permitted within the O'Brien Avenue / Village Centre South Heritage Conservation District to illuminate pathways, steps, verandahs and porches, and special landscaped areas as it does not have a negative impact on the character of the area.
- b) The installation of new amenity lighting shall ensure that the heritage attributes of the property are not adversely affected, and that there is no light trespass or spillover towards adjacent properties and the public realm.
- c) Replicas of historical light standards are not required, as installing replicas of a particular era contrasts with the variety of eras represented by the District resources. Contemporary light standards are appropriate.

9.7 Parking

Guidelines

- a) Parking areas associated with residences and other buildings with residential uses frequently have parking located within the lot. It is important that parking be accommodated as much as possible within the property behind the building front.

10.0 Landscape conservation guidance for the public realm

10.1 Sidewalks

Guidelines

- a) The underlying principle for additions and alterations to sidewalks is that they should sustain accessibility and barrier-free travel for pedestrians with a variety of mobility needs. Intersections may be altered with the addition of low-contrast surface textures.
- b) There is a balance to be made between the smooth surface required by wheelchairs and the identification of landings at intersections for those with visual challenges. It is important that the choice of materials for alterations or additions complements the traditional streetscape now found within the District. Concrete continues to be well-suited for the continuation for sidewalks, curbs, landings and other features in the streetscape accented with decorative pavers.

10.2 Street furniture

Guidelines

- a) In addition to public street furniture, there are other private additions that may be present, such as mailboxes, newspaper boxes and movable furniture. These will be permitted, subject to ensuring that there is minimal obstruction to pedestrian flow, and that visual clutter is not increased.
- b) As part of the ongoing management of the streetscape and in the absence of a streetscape management plan, alterations and additions of contemporary street furniture should aim at creating a cohesive pedestrian environment using similar materials and colours in the choice of street furniture.
- c) The placement of street furniture should not impede pedestrian movement or block the entrances of the adjacent buildings.

10.3 Signs

Guidelines

- a) Regulatory signs such as traffic control signs will be permitted within the District.

- b) Additional signs that distinguish the area as a Heritage Conservation District are encouraged.
- c) In addition to these guidelines, the Town sign by-law shall also be followed.

10.4 Parking areas

Guidelines

- a) There are currently no public parking areas within the O'Brien Avenue / Village Centre South HCD. Should they be added in the future, parking lots should be well-lit with fixtures that are full cut-off and dark-sky friendly. Edges of parking lots should be clearly defined with hedges or low walls.
- b) Bicycle parking may be accommodated in the future, in locations where they are not intrusive to the pedestrian environment. If bicycle shelters are proposed, they would be better-suited to side streets or parking lots, due to their space requirements.

10.5 Street lighting

Guidelines

- a) Pedestrian and street lighting within the District is encouraged.
- b) The replacement of street lighting shall be permitted.
- c) Replacement street lighting is not required to replicate historic light standards.
- d) Replacement light standards should include full cut-off fixtures that are dark-sky appropriate to limit light pollution.

10.6 Street trees and boulevards

Guidelines

- a) Street trees should be monitored to ensure that they remain in healthy condition and when trees enter into a hazardous condition (e.g. trees that are dead / dying, or structurally compromised), they should be removed and replaced.
- b) It is important that dead trees be removed and replanted in prompt succession. This is to ensure that the vitality of the streetscape is maintained.
- c) All other applicable Town standards for tree planting and maintenance will be followed.

- d) Where they exist, grassed boulevards shall be retained and monitored to ensure that they remain in healthy condition.
- e) Where they exist, grass boulevards should be regularly inspected and maintained with any dead areas of grass removed and re-seeded or re-sodded promptly.

10.7 Views

Guidelines

- a) The kinetic view along O'Brien Avenue was identified in the HCD Study as being important. This view shall be maintained.
- b) Street trees planted along the boulevard frame the views along the streetscape. Replacement planting of street trees should follow the existing pattern, where the trees are located closer to the sidewalk than the street in order to minimize obstruction of views.

10.8 Public art

Guidelines

- a) The placement of public art should be carefully planned so there is no visual intrusion that would disrupt the setting of a heritage property or directly affect heritage building fabric.
- b) Materials that are selected should be durable and vandal resistant.
- c) Pedestrian traffic flow should not be impeded by public art.

11.0 Guidelines related to accessibility

The *Accessibility for Ontarians with Disabilities Act* became law on June 13, 2005. The Act's overall intent is to make the province accessible by 2025 through establishing a variety of accessibility standards, (i.e. mandatory rules) for customer service, transportation, information and communication, employment and the built environment. It is intended that accessibility standards will be phased in over time and are to be developed by people from the business and disability communities. The goal of the *Accessibility Standards for the Built Environment* is to remove barriers in public spaces and buildings. The standards for public spaces apply to new construction and planned redevelopment. It is anticipated that enhancements to accessibility in buildings will happen at a later date through *The Ontario Building Code*, which governs new construction and renovations in buildings.

The issue of compliance for heritage properties, specifically those designated under the *Ontario Heritage Act* have yet to be fully addressed in legislation. Past practice suggests that greater accessibility must be met, but with a modified standard for designated heritage properties. This is intended to take into account the value of heritage building fabric, historical spaces and architectural features. The O'Brien Avenue / Village Centre South Heritage Conservation District Plan encourages accessibility to heritage properties, but attempts to ensure that, as with other alterations, there is minimal or no intrusion into the heritage building fabric or impacts on the heritage attributes.

Some clarification has been provided through regulation (O.Reg. 191/11) related to outdoor walkways or sidewalks, and it is noted that exceptions from complying with the AODA are permitted in several situations, as outlined below:

1. *The requirements, or some of them, would likely affect the cultural heritage value or interest of a property identified, designated or otherwise protected under the Ontario Heritage Act as being of cultural heritage value or interest.*
2. *The requirements, or some of them, would affect the preservation of places set apart as National Historic Sites of Canada by the Minister of the Environment for Canada under the Canada National Parks Act (Canada).*
3. *The requirements, or some of them, would affect the national historic interest or significance of historic places marked or commemorated under the Historic Sites and Monuments Act (Canada).*
4. *The requirements, or some of them, might damage, directly or indirectly, the cultural heritage or natural heritage on a property included in the United Nations Educational, Scientific and Cultural Organisation's World Heritage List of sites*

under the Convention Concerning the Protection of the World Cultural and Natural Heritage.

5. *There is a significant risk that the requirements, or some of them, would adversely affect water, fish, wildlife, plants, invertebrates, species at risk, ecological integrity or natural heritage values, whether the adverse effects are direct or indirect.*
6. *It is not practicable to comply with the requirements, or some of them, because existing physical or site constraints prohibit modification or addition of elements, spaces or features, such as where increasing the width of the exterior path would narrow the width of the adjacent highway or locating an accessible pedestrian signal pole within 1,500 mm of the curb edge is not feasible because of existing underground utilities.*

Exceptions #1 and #6 are applicable to the Heritage Conservation District, in that complying with accessibility standards would affect, or could likely affect, the cultural heritage value of a property designated under the *Ontario Heritage Act*, and the existing building, street and sidewalk layout present physical limitations that prevent compliance with accessibility standards.

The following guidelines provide some specific guidance related to a variety of accessibility-related matters:

Guidelines

- a) Modifications to buildings and public spaces are permitted and encouraged in order to improve accessibility. Depending on the scope of work, a heritage permit may be required (see Part 3).
- b) As outlined in the regulations associated with the *Accessibility for Ontarians with Disabilities Act*, the Town is permitted to vary some of the standards associated with public walkways. Additional exceptions may be added in the future. It is important that any exceptions to compliance with standard accessibility requirements are implemented in such a manner as to not put people at risk.
- c) Entrance ramps may be permitted for barrier-free access in accordance with applicable legislation, but should not be physically attached in order to avoid damage to the heritage building fabric. In some circumstances, attachments may be permitted where they cause the least amount of damage to heritage building fabric. Care should be taken in these circumstances.

Accessibility should be considered in the selection of materials and installation (refer to the *Accessibility for Ontarians with Disabilities Act* guidelines).

- d) It is important that any alterations or additions to the streetscape ensure that there is accommodation and safety for pedestrians, as well as for a wide variety of other users and in particular cyclists, public transit, and people with mobility limitations and partial vision.
- e) The underlying principle for additions and alterations to sidewalks is that they should sustain accessibility and barrier free travel for pedestrians with a variety of challenges. Intersections may be altered with the addition of low contrast surface textures.
- f) There is a balance to be made between the smooth surface required by mobility devices and the identification of landings at intersections for those with partial vision. It is important that the choice of materials for alterations or additions complements the traditional streetscape now found within the District. Concrete continues to be well suited for the continuation for sidewalks, curbs, landings and other features in the streetscape.

12.0 Guidelines related to energy conservation and sustainability

Energy conservation and sustainability are often linked to each other. Energy conservation typically involves making buildings more efficient, and may also include installations of green energy projects. Energy conservation can also be thought of in the sense of sustainability, as retaining existing buildings and systems (e.g. windows and doors) saves the energy required to fabricate materials for new construction. Space is also saved in landfill sites in relation to construction debris if existing materials are retained. It is often said that the most energy efficient building is the one that is already standing.

The following additional policies and guidelines are applicable to green energy projects:

Policies

- a) The O'Brien Avenue / Village Centre South Heritage Conservation District Plan permits the consideration of green energy and alternative energy projects.
- b) The addition of personal wind turbines, solar panels or solar hot water heaters may be permitted on roofs, but should not damage or remove heritage fabric. The installation of this type of equipment should be in the same plane as the roof (e.g., at the rear slope of a roof or on a flat or low pitched roof), and not visible from the street.

Guidelines

- c) Installations of solar panels are encouraged to be located in places that are generally out of view from the street wherever feasible.
- d) It is anticipated that technology related to renewable energy production will continue to evolve. The evaluation of future projects not specifically covered by these guidelines will be based on the protection and conservation of the cultural heritage value and attributes of the District.

13.0 Lands adjacent to heritage conservation districts

Lands adjacent to a heritage conservation district are not subject to the policies and guidelines contained within a heritage conservation district plan. This section outlines the requirements related to development adjacent to heritage properties, as well as how this topic is assessed in the Town of Whitchurch-Stouffville.

The goal is to design any future adjacent development without negatively impacting the heritage attributes of the District, as listed in Section 2.

13.1 Existing policy context summary

The Provincial Policy Statement (PPS) provides direction for the development of properties adjacent to a protected heritage property. As noted earlier this report, Section 2.6.3 of the PPS states that development and site alteration is not permitted on adjacent lands to protected heritage property except where it has been demonstrated that the heritage attributes of the property will be conserved.

For reference, the PPS defines adjacent as it relates to cultural heritage resources as follows:

"those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan"

The existing Town Official Plan does not contain a definition of adjacent, however the draft Official Plan released as a result of the in-progress Official Plan review notes that adjacent is considered to be 'contiguous' for the purposes of cultural heritage resources. This direction is consistent with the PPS.

In determining the negative impacts that may result from a proposed development on adjacent lands, the Town will use the guidance of the Ontario Heritage Toolkit. Examples of possible negative impacts provided in the Ontario Heritage Toolkit include, but are not limited to, the following:

- Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;

- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features.

13.2 Requirements for adjacent properties

The Provincial Policy Statement and the Town of Whitchurch-Stouffville Official Plan set the framework for addressing the potential impacts associated with development on lands adjacent to protected heritage properties. The designation of the O'Brien Avenue / Village Centre South HCD means that properties within the boundaries of the District are protected heritage properties.

Therefore, if development or site *alteration* is proposed on lands adjacent (meaning contiguous) to the heritage conservation district, the proponent of such development shall be required to undertake the preparation of a *cultural heritage impact assessment*, as outlined in the Town of Whitchurch-Stouffville Official Plan and the Province of Ontario in the Ontario Heritage Toolkit. Town staff have the ability to scope or waive such studies accordingly, depending on the specifics of the development proposed. Where required, the report shall demonstrate how the proposed development is *compatible* with the *heritage attributes* and objectives of the O'Brien Avenue / Village Centre South HCD.

PART III - Exempt alterations and classes of alterations

14.0 Exempt alterations

14.1 Introduction

The *Ontario Heritage Act* allows a heritage conservation district plan to exempt some forms of alterations from the requirement for a heritage permit by providing that a heritage conservation district plan shall include:

"(e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42.2005, c.6,s.31."

As such, this section includes a list of alterations that are considered to be "minor in nature" and that may be carried out without first obtaining a heritage permit. The various alterations have the same status as 'policies' found elsewhere in this document, in that they are required to be followed. These minor alterations have been guided generally by the principles of either being undertaken within a small area, confined to areas that are generally out of sight from public view, constitute routine maintenance, or are easily reversible. It should be noted that some of the exemptions listed in this section may not apply to properties designated under Part IV of the *Ontario Heritage Act*, where features listed within this section are included as heritage attributes of the property.

Consultation with Town of Whitchurch-Stouffville heritage planning staff is recommended before commencing any minor alterations to property, in order to confirm that a heritage permit is not required. In addition, consultation with Building Department staff is recommended to determine if a building permit is required.

14.2 Exemptions for residential and non-residential properties

Alterations that may be carried out without obtaining a heritage permit under Section 42 of the *Ontario Heritage Act* are:

- a) ***Interior modifications:*** The interiors of buildings or structures are not subject to regulation within the Heritage Conservation District.

Exceptions: Structural interventions, as well as those interior features designated under Part IV of the *Ontario Heritage Act* or interior features that have an exterior presence, such as windows and doors in building façades require a heritage permit.

- b) ***Roof materials:*** Replacement of existing roof materials in kind does not require a heritage permit.

Exceptions: Replacing or removing original roofing materials including metal, slates, tiles or wood shingles with other materials requires a heritage permit.

- c) ***Eavestrough and downspouts:*** The removal and/or installation of new eavestroughs and downspouts in the same material as the previously existing does not require a heritage permit.

- d) ***Solar panels:*** The installation of solar panels located in the same plane as the roof and not visible from the public realm (e.g. at the rear slope of a roof or on a flat or low pitched roof) would not require a heritage permit.

Exceptions: Freestanding panels on poles or those requiring a structural frame for support, located within view of the public realm, require a heritage permit.

- e) ***Security lighting and alarm systems:*** The installation of security lighting and/or alarm systems does not require a heritage permit.

- f) ***Amenity lighting:*** The installation of porch lighting or other amenity or seasonal lighting does not require a heritage permit.

- g) ***Landscaping, soft:*** The removal and/or installation of vegetative landscaping, such as planting beds, shrubbery and small ornamental trees and the pruning and maintenance of trees or the removal of dead branches or limbs does not require a heritage permit.

- h) ***Landscaping, hard:*** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas in the same area and dimensions as existing does not require a heritage permit.

- i) ***Fencing:*** The removal and/or installation of fencing in the rear yard of a property and behind the mid-point of the side façade of a building does not require a heritage permit.

Exception: The removal and/or installation of fencing in the front yard or a property requires a heritage permit.

The removal and/or installation of fencing in the side yard but not beyond the mid-point of the side façade towards the front of a building requires a heritage permit.

- j) ***Porches, verandahs and decks:*** The installation and/or removal of single-storey porches, verandahs and decks located within the rear yard and away from views from the street or, in the case of corner lots, the frontage of the property, do not require a permit.

Exceptions: The removal and/or installation of porches, verandahs and decks in the front yard or side yard that abuts a street require a heritage permit.

- k) ***Storm windows and doors:*** The seasonal installation and/or removal of storm windows and screen doors does not require a heritage permit.
- l) ***Stairs and steps:*** The removal of stairs or steps and replacement in kind (same dimensions and materials) does not require a heritage permit.
- m) ***Signage:*** The installation of street number signs on building façades or on free-standing supports does not require a heritage permit.
- n) ***Maintenance:*** Ongoing maintenance or small repairs to buildings, structures or small areas of paving that do not significantly affect the appearance of the outside of the property and do not involve the permanent removal or loss of heritage attributes do not require a heritage permit.

Exceptions: The removal and/or installation of any cladding material on façades visible from the public realm requires a heritage permit.

The cleaning of any building façade surface (using any method of cleaning such as sandblasting, chemical cleaning, and pressurized water) requires a heritage permit.

Carrying out test patches in any location for any cleaning method requires a heritage permit. The removal of any paintwork from a masonry building façade surface requires a heritage permit.

- o) ***Painting:*** The painting of doors, window frames, muntins and mullions, trim, eavestroughs, downspouts, siding and minor architectural detailing do not require a heritage permit.

Exceptions: The painting of any masonry materials requires a heritage permit.

14.3 Exemptions for public realm properties

Alterations that may be carried out without obtaining a heritage permit under Section 42 of the *Ontario Heritage Act* are:

- a) ***Maintenance or minor repairs:*** Ongoing maintenance or minor repairs to road or sidewalks surfaces and areas of paving that do not significantly affect the appearance of the surface or change the surface material and that are exempt from review or pre-approval under the Municipal Class Environmental Assessment do not require a heritage permit.

Exception: The installation of any streetscape device (not including traffic related signs), new road or sidewalk surfaces that increase the width, new crosswalk surfaces or motifs and new boulevards requires a heritage permit.

- b) ***Installation and/or repair of underground utilities or services:*** Subsurface excavation for the installation and/or repair of utilities (water, sewage, gas, or communications) do not require a heritage permit.
- c) ***Installation and/or repair of aboveground utilities or services:*** Work undertaken for the installation and/or repair of above-ground utilities (hydro, communications and lighting), including conduits, poles, associated boxes or covers, fire hydrants or meters, in accordance with this Plan do not require a heritage permit.
- d) ***Installation and/or repair of street furniture:*** Work undertaken for the installation and/or repair of non-permanent street furniture including but not restricted to seating, planters, tree grates, banners, hanging baskets, garbage receptacles and bike racks in accordance with this Plan.
- e) ***Landscaping, soft:*** The installation and removal of any soft or vegetative landscaping confined to boulevard installation and / or planting beds.
- f) ***Landscaping, hard:*** The removal and installation of hard landscaping, such as driveways, entranceways, paths and parking areas of the same area and dimensions as existing.

- g) ***Trails and bicycle lanes:*** The addition of bicycle lanes within the existing road right-of-way does not require a heritage permit. The installation of trails on existing public open space.

14.4 Emergency work

In some extraordinary instances, emergency work may have to be carried out to public or private property without the benefit of a Heritage Permit or ascertaining whether such work is exempt from regulation. These extraordinary circumstances are as follows:

- a) Natural disasters (e.g. fire, flood, tornado, earthquake, etc.)
- b) Emergency health and safety circumstances where the time of repairs makes it impossible to consult with municipal staff.

Required emergency work may be permitted where the timing of repairs makes it impossible to consult with municipal staff regarding a Heritage Permit. Notwithstanding this provision, all work should be undertaken in a manner that does not destroy valued heritage building fabric. Photographs of 'before and after' should be taken to confirm the condition of the building or property and the nature of the finished repairs, and supplied to Town staff as a record of the work.

PART IV - Glossary

The following comprises a list of some of the more commonly used terms and definitions in this District Plan. Where applicable, sources are indicated to show where the term has been derived.

Alter means to change in any manner and includes to restore, renovate, repair or disturb and "***alteration***" has a corresponding meaning (Source: *Ontario Heritage Act*).

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and/or international registers. (Source: 2020 Provincial Policy Statement)

Buffering: means allowing filtered views through material such as a deciduous shrub border or a partially enclosed fence (e.g. picket fencing). "Buffer" has a corresponding meaning.

Character means the collective physical qualities and visual attributes that distinguish a particular area or neighbourhood.

Compatible when used together with any building, use, alteration or any other form of change means consistent with the heritage attributes and cultural heritage value of a property, and which has little or no adverse effect on its appearance, heritage attributes, and integrity. "***Compatibility***" has a corresponding meaning.

Conservation: All actions or processes that are aimed at safeguarding the character-defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve "Preservation," "Rehabilitation," "Restoration," or a combination of these actions or processes. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

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. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker.

Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (Source: 2020 Provincial Policy Statement)

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (Source: 2020 Provincial Policy Statement)

Effects (adverse) include those conditions resulting in the attrition of protected heritage properties and include: the destruction, loss, removal or incompatible alteration of all or part of a protected heritage property; the isolation of a protected heritage property from its surrounding streetscape or setting; or the introduction of physical, visual, audible or atmospheric elements that are not in character with a heritage property and/or its setting. "Adversely affected" and "adversely affects" have a corresponding meaning.

Effects (beneficial) include those conditions resulting in: the protection of heritage properties from demolition or removal; the retention of a protected heritage property in situ in a structurally stable and sound condition or state of repair; accurate restoration of a protected heritage property; the sympathetic alteration or repair of a protected heritage property to permit an existing or new use; enhancement of a protected heritage property by accommodating compatible new development; or maintenance of a protected heritage property through the repair and replacement of worn-out components and using compatible materials and techniques.

Fenestration means the placement, size, and type of windows within a building.

Heritage attributes means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest (Source: *Ontario Heritage Act*).

Heritage building fabric means the physical components relating to the layout, materials and details of built and landscape heritage resources.

Heritage value: The aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations. The heritage value of

an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

Infill development: The construction of new buildings on vacant lands located within previously built-up areas of urban settlements. Infill often occurs within residential neighbourhoods or historic commercial areas.

Preservation: The action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

Principal Façade means the building elevation (or elevations) that are visible from the public street or right-of-way.

Property means real property and includes all buildings and structures thereon (Source: *Ontario Heritage Act*).

Protected heritage property: means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites. (Source: 2020 Provincial Policy Statement)

Rehabilitation: The action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, while protecting its heritage value. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

Restoration: The action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada)

Screening means the blocking of views through the use of solid fencing or evergreen material.

Significant means: ... in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the

Province under the authority of the *Ontario Heritage Act*. (Source: 2020 Provincial Policy Statement)

Subordinate means designed in such a way that there is no distraction from original building features.

Appendix A

Illustration of contributing properties

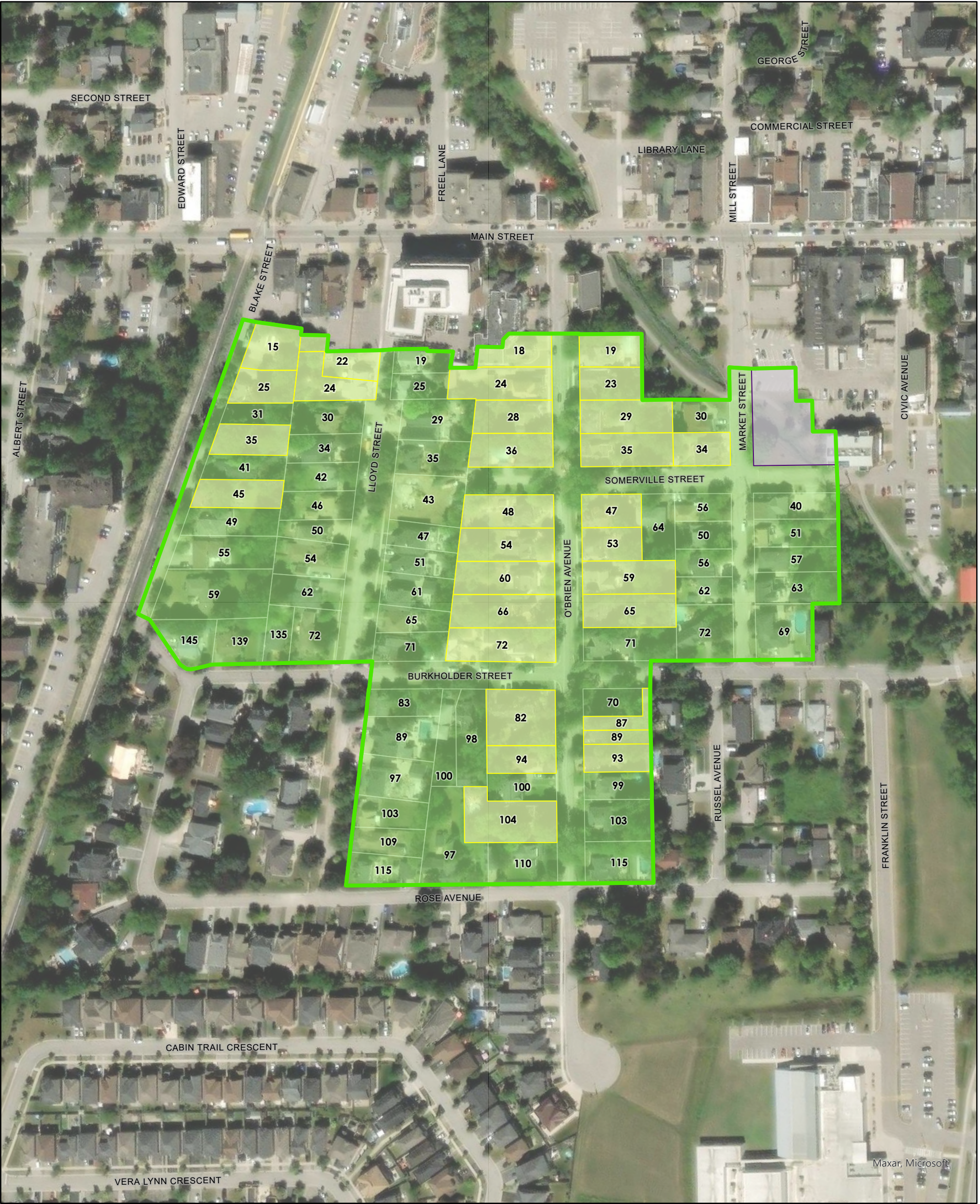


Figure:
**O'Brien Avenue /
Village Centre South
Heritage
Conservation District**

- Legend**
- O'Brien Avenue / Village Centre South Heritage Conservation District
 - Contributing Properties Not on Built Heritage Inventory
 - Contributing Properties on Built Heritage Inventory
 - Property Fabric

Date: January 31, 2024	N
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PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE



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Stouffville