

DATE: April 29, 2003

TO: Chairman and Members of the Planning and Development Committee

FROM: Thomas S. Mokrzycki, Commissioner of Planning and Building

SUBJECT: **Proposed Heritage Conservation District and Interim Control By-law, Port Credit Heritage Village**

MEETING DATE: May 20, 2003

ORIGIN: Planning and Building and Community Services Departments.

BACKGROUND: In response to concerns regarding development in the Old Port Credit Area (west of the Credit River, south of Lakeshore Road West) By-law 30-88 was passed in January, 1988 to identify the Old Port Credit Area as a potential Heritage Conservation District. The by-law defined the study area as "...being located from the intersection of Lakeshore Road West and Mississauga Road South, east along Lakeshore Road West, south along the West Bank of the Credit River, west along the easterly prolongation of Bay Street, south along Front Street South, west along Lake Street and north along Mississauga Road South." The by-law stated the purpose of the study was to identify "...the historical and architectural character of the area, as exemplified by the mixture of housing, commercial and institutional buildings of many types, representing different eras, the unusual block street pattern, and the enhancement of a distinctive waterfront association in the community." A public meeting was subsequently held in September of 1988, but since that time no further action was taken.

On February 11, 2002 staff were invited to a residents' meeting to explain the process required to create a Heritage Conservation District and the implications for property owners. On May 22, 2002, City Council received a petition from local residents requesting that the City initiate a Heritage Conservation District Study and consider a re-zoning of the area to be compatible with the policies in City Plan. City Council referred the matter to the Community Services Department for a report.

COMMENTS:**1.0 Neighbourhood Character**

There are 44 heritage listed or designated properties, comprising approximately 42% of the 104 properties within the area bounded by the Credit River to the east, Lakeshore Road West on the north, Mississauga Road South to the west, and Lake Ontario to the south (see Exhibit 1). Of these, four are heritage designated properties, under the terms and conditions of the *Ontario Heritage Act* (see Exhibit 2). A mixture of residential, commercial, and institutional uses is represented on this list.

In general, this area exhibits a strong character of the older houses and structures of this early working class neighbourhood. The average house tends to be small, almost cottage-like with no particular definitive architectural styles. This type of housing structure is often referred to as the Vernacular Style, meaning it is typical of a defined geographical area in its overall size, shape, form and use of materials. The cohesive simplicity of the local architecture combined with large lot sizes and mature trees helps to define this mature community which dates from the mid-nineteenth century to the present. In addition, the traditional street grid pattern reflects the original nineteenth century layout and intention of design for this neighbourhood.

The average heritage listed property is approximately 600 square metres (6,459 sq.ft.), with the average gross floor area of a house at about 123 square metres (1,325 sq.ft.). These data emphasize the nature of the relatively small houses on large lots. The lot frontages average about 18 metres (60 ft.), with an average front yard setback of 3.7 metres (12 ft.). This provides for a consistent streetscape with a definite character defined by the small houses on large lots and similar, reduced front yard setbacks.

The subject area is not without its more modern intrusions, but these are relatively few, generally modest in scale and do not dominate the streetscape. At least two multi-storey apartment complexes are the exception.

2.0 Planning Framework

Mississauga Plan, as approved and modified by the Region of Peel, designates most of these lands as "Residential Low Density I", which permits detached dwellings, with the exception of the lands fronting onto Lakeshore Road West, and Front Street South, which are designated as "Mainstreet Commercial". "Mainstreet Commercial" permits a mix of pedestrian-oriented, street-related commercial uses, including a combination of commercial and residential uses.

The Port Credit District Policies also identify this area as the "Historical Village", subject to the following policies directed at supporting the historic character of the area:

- a. The street pattern, its residential character, significant groupings of trees and other natural features, and the historic housing stock should be preserved to maintain the historical associations with the founding of Port Credit.*
- b. Mississauga will encourage landscape screening along the west side of Mississauga Road South to buffer the adjacent Imperial Oil site.*
- c. Any adaptive re-use should preserve the character of the buildings and properties.*
- d. Other areas which are suitable for sensitive infill should display massing and scale sympathetic to the surroundings. Building heights should not exceed 2 storeys. Any additions, alterations or redevelopment should support the existing historic character, maintain the existing street grid, maintain and enhance the existing mature vegetation and maintain existing building setbacks.*

The Heritage policies for the Port Credit District state that *"Mississauga will encourage the investigation of the old townsite of Port Credit as an area to be examined for future designation as a Heritage Conservation District in accordance with the Ontario Heritage Act."*

Pursuant to the requirements of the *Ontario Heritage Act*, Mississauga Plan contains the appropriate policies to permit the designation of Heritage Conservation Districts, and to guide the preparation of Heritage Conservation District Plans.

Zoning By-law 1227 for the former Town of Port Credit zones the lands between Port Street and Lakeshore Road West for a variety commercial and institutional uses. Most of the remaining lands in the area are zoned H-R4 which permits, subject to the removal of the "H" prefix, detached dwellings, duplexes, triplexes, double duplexes, five-plexes and apartment buildings; nursing home; boarding house or lodging house; nursery school; private club; drug store, barber shop, beauty parlour, florist shop, delicatessen or restaurant accessory to an apartment building. Except for detached dwellings, these uses are contrary to the land use designations of Mississauga Plan. Until the "H" is removed, the H-R4 zone permits only detached dwellings, with no maximum gross floor area or maximum height provisions, and minimum front yards requirements in excess of the existing front yards of heritage properties, thereby, allowing construction of buildings which may be out of character with the surrounding area. This is contrary to the above noted Heritage Village policy in Section 4.27.3.1.6 (d) of Mississauga Plan which states that *"infill should display massing and scale sympathetic to the surroundings. Building heights should not exceed 2 storeys"*.

3.0 Development Applications

According to the records available since the incorporation of the City, 39% of the properties located in the Historical Village, have been subject to one or more of the 81 development applications submitted for properties in this area. These development applications include building permits, minor variances, site development plan approval, and rezoning and Official Plan amendments. They have resulted in the development of street townhouses, new and additions to commercial and institutional buildings, and detached dwellings. The number and scope of the development applications is significant in view of the fact that approximately 42% of the properties are on the City's Heritage Inventory.

Recent development applications of concern are those which received approval for built forms and development standards different from those which exist for the heritage properties within the area. Examples are detached dwellings with gross floor areas in excess of 360 square metres (3,875 sq.ft.) and with front yards of 7 metres (23 ft.), whereas, the gross floor area and front yard setback for heritage properties are approximately 123 square metres (1,325 sq ft.) and 3.7 metres (12 ft.), respectively.

4.0 Options and Implementation Tools for Heritage Conservation

4.1 Heritage Conservation District

Mississauga Plan states that Heritage Conservation Districts will be designated by the City in accordance with the *Ontario Heritage Act*. A resulting Heritage Conservation District Plan would contain the following elements:

- delineation of the area designated;
- reason for designation;
- inventory of existing resources;
- elements to be protected or restored;
- guidelines for development;
- funding programs and opportunities;
- background and historical context.

The authority to create a Heritage Conservation District originates from Part V of the *Ontario Heritage Act*. Section 41(1) of the Act states "*...where there is in effect in a municipality an official plan that contains provisions relating to the establishment of heritage conservation districts, the council of the municipality may by by-law designate the municipality or any defined area or areas thereof as a heritage conservation district.*"

The proposed by-law, after approval by City Council, may be appealed to the Ontario Municipal Board. Once the by-law is passed, any alteration to a property within the district must be approved by City Council after consultation with the Heritage Advisory Committee. Should the property owner appeal City Council's decision, the matter is referred to the Ontario Municipal Board.

4.2 Rezoning, Urban Design Guidelines and Site Plan Approval

Other planning tools which could be used to protect the heritage area, either in conjunction with a heritage district designation, or by themselves, include rezoning and/or the implementation of urban design guidelines through site development plan approval.

Rezoning the properties would establish new uses and development standards which may include maximum building height, minimum front, side and rear yards, maximum gross floor area, and landscape open space. Site plan approval for all development (currently, detached dwellings and semi-detached dwellings are excluded) and the development of Urban Design Guidelines (as none exist for this area) may also be appropriate. Site plan approval would review the site layout, landscaping and tree preservation issues, and is required to implement urban design guidelines. Urban design guidelines would provide direction regarding the building character ie. colour, materials, facade details, context, location, streetscape, consistency between buildings, pedestrian connections and relationship to the development to ensure that new development is sympathetic to the character of the surrounding area.

4.3 Interim Control By-law

S.38(1) of the *Planning Act* allows a local municipality to enact an Interim Control By-law for a maximum of one year (which may be extended for another year) to restrict the use of land, buildings or structures within an area which has been identified by City Council to undertake a study of land use planning policies. To determine the most appropriate strategy to protect the heritage of the Old Port Credit Village, a Heritage Preservation Feasibility Study should be undertaken for the Port Credit Heritage Village area, specifically the lands south of Lakeshore Road West, west of the Credit River; north of Lake Ontario and east of Mississauga Road South. The study is required to determine if there is merit in the heritage preservation for the area and to recommend measures to be undertaken to achieve such preservation.

To ensure that there is compatible development within the area during the study period, an Interim Control By-law should be enacted. The Interim Control By-law could be designed in such a manner to allow development consistent with the planning framework in the Official Plan, and in a form compatible and similar to the existing heritage buildings.

Although some area residents have suggested that the study include the area to the north of Lakeshore Road West extending to the Canadian National Railway, it is recommended that this area not be included for the following reasons:

- there are only six properties in this area which are listed on the heritage inventory while none are designated pursuant to the *Ontario Heritage Act*;

- the area has not previously been identified as a potential area for heritage designation and, therefore, has not been recognized in Mississauga Plan, unlike the area south of Lakeshore Road West;
- most of the area is zoned and designated in Mississauga Plan to permit redevelopment for various forms of medium and high density dwellings.

CONCLUSION:

The Old Port Credit Village is threatened by potential development which could adversely affect its historic character. This is due to the fact that the existing zoning for the area is not consistent with Mississauga Plan, and permits recent residential development out of character with neighbouring properties, insensitive to the heritage character of the neighbourhood. At this time the subject area retains much of its original character and is worthy of further study as a Heritage Conservation District. Further, concerns have also been expressed that future development of City-owned park land along the Credit River and the waterfront be sympathetic to the area character. It is, therefore, recommended that the study area be expanded from the original area defined within By-law 30-88 to include parkland on the east and south boundaries of this neighbourhood.

Preparation of a Heritage Preservation Feasibility Study for the subject lands is required to determine if there is merit for additional heritage preservation measures for the area. It would address measures to be undertaken to achieve such preservation and to define the area to be included. In view of the existing zoning, and given the development pressures and the concentration of historic buildings in the area, an Interim Control By-law for the subject lands should be enacted while the study is underway.

In the 2003 Capital Budget approved by City Council, the Community Services Department has been allocated funds for the purposes of retaining a consultant to undertake the required Heritage Preservation Feasibility Study, under PN-03358.

RECOMMENDATIONS:

1. That the Community Services Department undertake a Heritage Preservation Feasibility Study for the lands south of Lakeshore Road West, west of the Credit River; north of Lake Ontario and east of Mississauga Road South to determine if there is merit in the heritage preservation for the area, and to recommend measures to be undertaken to achieve such preservation as outlined in the report titled "Proposed Heritage Conservation District and Interim Control By-law, Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building.
2. That pursuant to S.38(1) of the *Planning Act*, an Interim Control By-law for all lands south of Lakeshore Road West, west of the Credit River, north of Lake Ontario and east of Mississauga Road South be enacted by City Council to allow for the Heritage Preservation Feasibility Study to be completed as outlined in the report titled "Proposed Heritage Conservation District and Interim Control By-law, Port Credit Heritage Village" dated April 29, 2003 from the Commissioner of Planning and Building.

Original Signed By: _____

Thomas S. Mokrzycki

Commissioner of Planning and Building