

London Advisory Committee on Heritage

Report

5th Meeting of the London Advisory Committee on Heritage
April 11, 2018
Committee Rooms #1 and #2

Attendance PRESENT: D. Dudek (Chair), S. Adamsson, D. Brock, J. Cushing, H. Elmslie, H. Garrett, S. Gibson, T. Jenkins, J. Manness, B. Vazquez, K. Waud and M. Whalley and J. Bunn (Secretary)

ALSO PRESENT: J. Dent, L. Dent, K. Gonyou, M. Knieriem, A. Macpherson and L. McNiven

The meeting was called to order at 5:30 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that H. Garrett disclosed a pecuniary interest in clause 5.1 of this report, having to do with a Demolition Request of a Heritage Designated Property located at 660 Sunningdale Road East, by indicating that her employer was the previous agent on the file.

2. Scheduled Items

2.1 Fugitive Slave Chapel Preservation Project – Status Update

That the Heritage Planners BE REQUESTED to prepare a Statement of Cultural Heritage Value or Interest for the Fugitive Slave Chapel at its new location at 432 Grey Street pursuant to direction from the Municipal Council during the repeal of the heritage designating by-law for 275 Thames Street; it being noted that the attached presentation from G. Hodder and a verbal delegation from H. Neary, with respect to this matter, were received.

2.2 Heritage Alteration Permit Application by Stantec Consulting Ltd. - The Green (165 Elmwood Avenue East)

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application by Stantec Consulting Ltd., under Section 4.2 of the *Ontario Heritage Act* to alter The Green located at 165 Elmwood Avenue East, individually designated by By-law No. L.S.P.-2854-377 and within the Wortley Village-Old South Heritage Conservation District, BE PERMITTED; it being noted that the attached presentation from K. Gonyou, Heritage Planner, was received with respect to this matter.

2.3 Conditions on Demolition of Heritage Designated Properties

That the matter of conditions on the demolition of heritage designated properties BE REFERRED to the Planning and Policy Sub-Committee for further research; it being noted that the attached Memo, dated April 11, 2018, from J.M. Fleming, Managing Director, Planning and City Planner and G. Kotsifas, Managing Director, Development and Compliance Services and Chief Building Official, and a verbal delegation from P. Kokkoros, Deputy Chief Building Official were received with respect to this matter.

2.4 Notice of Application - City of London - City-Wide - Low-Density Residential Zones (R1, R2, R3) within the Primary Transit Area

That it BE NOTED that the attached presentation from M. Knieriem, Planner II, with respect to the Notice of Application, dated March 7, 2018, related to City-wide, low-density residential zones (R1, R2, R3) within the Primary Transit Area, was received.

3. Consent

3.1 4th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 4th Report of the London Advisory Committee on Heritage, from its meeting held on March 14, 2018, was received.

3.2 Municipal Council Resolution - 3rd Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution from its meeting held on March 6, 2018, with respect to the 3rd Report of the London Advisory Committee on Heritage, was received.

3.3 Municipal Council Resolution - 4th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution from its meeting held on March 27, 2018, with respect to the 4th Report of the London Advisory Committee on Heritage, was received.

3.4 Notice of Application - City of London - Old East Village

That C. Parker, Senior Planner, BE REQUESTED to attend the May 9, 2018 London Advisory Committee on Heritage meeting in order to discuss the proposed Old East Village Dundas Street Corridor Secondary Plan outlined in the Notice of Application dated March 12, 2018.

3.5 Ministry of Government and Consumer Services - Land Registry Office

That it BE NOTED that the communication dated March 26, 2018, from D. Blais, Ministry of Government and Consumer Services, with respect to permission to access the Land Registry Office, was received.

3.6 Notice of Project Commencement - Broughdale Dyke Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Project Commencement from A. Spargo, AECOM Canada and P. Adams, AECOM Canada, with respect to the management of the long-term stability of the Broughdale dyke, was received.

3.7 Notice of Project Commencement - Riverview Evergreen Dyke Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Project Commencement from A. Spargo, AECOM Canada and P. Adams, AECOM Canada, with respect to

the management of the long-term stability of the Riverview Evergreen dyke, was received.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That the following actions be taken with respect to the Stewardship Sub-Committee report from the meeting held on March 28, 2018:

a) the following properties BE LISTED on the Register (*Inventory of Heritage Resources*) based on the research and evaluation undertaken by the Western University Public History Program, on file with the Heritage Planners:

- 306 Simcoe Street;
- 397 Wortley Road; and,
- 399 Wortley Road; and

b) it BE NOTED that the remainder of the Stewardship Sub-Committee report was received.

5. Items for Discussion

5.1 Demolition Request of Heritage Designated Property at 660 Sunningdale Road East by Peter Sergautis

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the request by P. Sergautis for the demolition of the heritage designated property located at 660 Sunningdale Road East BE REFUSED; it being noted that the attached presentation from K. Gonyou, Heritage Planner, was received with respect to this matter; it being further noted that a communication dated April 8, 2018, from M. Bloxam, ACO London, was received with respect to this matter.

5.2 Heritage Planners' Report

That it BE NOTED that the attached submission from K. Gonyou and L. Dent, Heritage Planners, with respect to various updates and events, was received.

6. Deferred Matters/Additional Business

6.1 (ADDED) Notice of Public Information Centre 3 Adelaide Street North / Canadian Pacific Railway Grade Separation Municipal Class Environmental Assessment Study

That it BE NOTED that the Notice of Public Information Centre 3, from A. Spahiu, City of London and J. Goldberg, WSP, with respect to the Adelaide North/Canadian Pacific Railway Crossing Grade Separation Municipal Class Environmental Assessment Study, was received.

6.2 (ADDED) Recognitions of Heritage Excellence

That the matter of the creation of a formal process to recognize excellence in the area of heritage preservation BE REFERRED to the Education Sub-Committee for review.

7. Adjournment

The meeting adjourned at 7:43 PM.

Report to LACH on the Fugitive Slave Chapel Preservation Project

In recent days the Fugitive Slave Chapel Preservation Project (FSCPP) steering committee has been asked to report on progress since its creation as a community endeavour in 2013, when the owner of the small chapel building at 275 Thames Street applied for a demolition permit. It was then a house with room divisions rather than a chapel, for it had been a private home for more than 140 years. Following a ground swell of support by many individuals and organizations, the small wood building was moved (on November 12, 2014) through the streets of London to 432 Grey Street. It was positioned onto a cement foundation next to the more substantial Beth Emanuel Church (BEC), its 'daughter' church, and became the property of the British Methodist Episcopal Church.

That dramatic move and new foundation was brought about with fund raising and financial support from a large number of individuals and organizations including, significantly, the City of London. The contribution of Beth Emanuel Church in accepting this property (on its new purpose-built foundation) on an empty lot adjacent to and owned by the church, seemed like the perfect solution. A community consultation process determined that the restored chapel, along with a supporting addition to the north, would become a learning centre about slavery, the Underground Railroad, and London's historic black community reaching back many years before the U.S. Civil War.

A complete report of accomplishments to date by the FSCPP is important at this juncture because our community-based FSCPP steering committee was informed by an e-mail on January 27, 2018 that it had been dissolved and replaced by a committee of the same name, to be led by the Trustees of Beth Emanuel Church. Our great disappointment was that after many months we were unable to achieve a management agreement between the Board of Trustees and the FSCPP, which would outline the responsibilities of each body similar to other agreements between a property owner and a managing body. We believe this unexpected dissolution was undemocratic because the changes made did not respect the FSCPP governance document and gave no opportunity for the existing committee to respond. It was particularly hard to understand because Dr. Chester Searles, leader of the British Methodist Episcopal Church in Toronto, noted the need for and encouraged the adoption of an agreement when we met with him on two occasions, on May 15, 2016 and on November 8 of 2017.

At this meeting with LACH, and for the public record, our committee will articulate the project's goals and **outline the measures we have taken to move it toward the creation of a Learning Centre about slavery, the Underground Railroad and London's historic Black community.** The restored chapel building with an attached addition to the north would accommodate school groups, researchers, tourists, and all visitors. It would teach about slavery and tell London's own story among the existing Black history sites in southwestern Ontario. It would be a community meeting space open to a range of programming.

For ease of reference, the project has been divided into four phases, as follows:

- Phase I – An archeological assessment by Timmins Martel Heritage Consultants of land behind the building on Thames Street, involving many volunteers for the ‘dig’ and for cleaning artifacts at the London Museum of Archaeology. Moving the chapel building from its original location to property adjacent to Beth Emanuel Church on Grey Street, following the construction of a purpose-built cement foundation.
(Phase I completed in 2014)
- Phase II – Planning with heritage architect for the restoration of the original chapel building, preceded by the investigation of its original configuration. Removal of wall divisions and interior and exterior layers added over many years as a home. Construction of a supportive addition to enable the historic building’s use as a learning centre about slavery, the Underground Railroad, and London’s Black history. The planning and promotion of the project and fundraising to enable the actual restoration and construction.
- Phase III - Laying the groundwork for the FSC learning centre including the establishment of operating by-laws, code of conduct, goals, mission statement, and efforts to create a sustainable future through the establishment of the Friends of the FSC group, or other similar organization. Gathering archival information and collecting artifacts for use in the restored building.
- Phase IV –Full implementation of the Fugitive Slave Chapel learning centre and the hiring of a part time administrator.

We will give an overview of what has been accomplished in the period since the building was moved. This report refers to what has been done in Phase II and Phase III

1) PLANNING.

In the spring of 2015, the FSCPP created, discussed and passed a governance document to give some structure to the organization that had formed so quickly in 2013. The project would be led by an executive committee (chair, vice chair, secretary and treasurer) and included the formation of two sub-committees, Fund Raising and Heritage Restoration, the latter to advise on changes to the building. The pastor of Beth Emanuel Church was always a member of the FSCPP steering committee by virtue of her position; in recent months, all three pastors were invited to attend.

The planned purpose for the building and its addition were developed through a community consultation process, inviting participants to give their ideas and select preferences for the building’s future use. This consultation was held at an open house held by Beth Emanuel Church on the weekend of March 27-28, 2015.

In early summer 2015, we invited proposals and selected John Rutledge, a highly respected heritage architect, to plan with the committee the careful restoration of the chapel and the construction of a supportive addition at the north end. Through Mr. Rutledge, the plans for both restoration and construction have been drawn up.

2) RESTORATION.

We have consulted with heritage professionals to assure that high restoration standards and guidelines will be met. These include architect Rutledge and James Knight, a wood engineer who prepared a preliminary condition assessment on the chapel building. We engaged the services of heritage consultant Nancy Tausky and her team, who in the summers of 2015 and 2016 coordinated the removal of exterior and interior layers, including wallpaper and wall divisions that had been added over the more than 140 years that it was a private home. We also have as a resource on our committee several members of Architectural Conservancy Ontario with a solid understanding of and some experience in heritage restoration.

A report by Nancy Tausky follows this overview.

3) HISTORY.

In the last three years, we have connected with historians at both Western and Huron University College through participation in conferences and teaching experiences; we initiated an oral history project led by Natasha Solomon, which should continue; and we have consulted with archivists to develop an archives report. The history of the chapel and of London's Black community, its historic context in Upper Canada in the mid-1800s, has been (and continues to be) researched by historian Hilary Neary.

A report by Hilary Neary follows this overview.

4) OUTREACH.

We have engaged with Londoners through talks to groups in London, Stratford, and Thorndale and through visual presentations at community and neighbourhood fairs and events, such as Gathering on the Green, the opening celebration of Black History Month (2016 and 2017), Doors Open (2015 and 2016) and the Woodfield Spring Fair (2015-2017) and the Heritage Fair at London Public Library (2016 and 2017). We have raised funds through small sales and a quilt raffle for a patchwork quilt specially created for that purpose.

For Black History Month in 2017, we commissioned and produced at the ARTS Project a new play, *My Name is Margaret Harmon*, by Jason Rip. This highly successful drama included a true story based on a local woman's surprising discovery of an ancestor, a fugitive slave who came to this area with a white woman and lived in Thorndale. George McNeish designed and crafted an innovative set composed of white three-dimensional forms that magically came together as the slave chapel building at play's end. The total net proceeds were \$4,672.05.

We have connected with leaders of Black History sites in southwestern and central Ontario by visiting these sites and meeting key people. These include the sites in Dresden, North Buxton, Amherstburg, Chatham and Oro-Medonte. We have also talked about our plans with members of Ontario Heritage Trust.

We sent annual updates to our list of donors for fund raising purposes, and have prepared status reports for different community organizations. Long-time supporters continued to give, but we quickly learned that larger public and corporate funds needed to complete this project required a clear separation between the FSCPP as a community project and the BME as a church.

5) CONTINUITY.

Over three years, we have explored options for future sustainability by first establishing a governance framework as mentioned earlier, which was passed by the project committee in April of 2015, and with the intent this year to review and improve it.

We adapted, from an existing management agreement for the historic Old St. Thomas Church and proposed a draft agreement that would clarify roles of the FSCPP steering committee vis à vis the Trustees of Beth Emanuel Church. This has not been signed or responded to by the Trustees of Beth Emanuel Church. Planning long term, we had hoped to create a sustainable future through the establishment of a Friends of the Fugitive Slave Chapel group, or other similar organization.

In conclusion, as the former chair and speaking on behalf of the community-led FSCPP steering committee, we are proud of our work towards establishing a future use for the small but very important building known as the Fugitive Slave Chapel. We are concerned about the future of the historic building and whether the original intent to restore the chapel 'in keeping with good heritage stewardship' (a phrase used by Councillor Harold Usher in seeking city support in 2013) will proceed as expected. The donations given by the many individuals and organizations to support the project as outlined over the last three years must be used for the purpose for which they were given. The necessary separation of financial records and funds between church and the FSCPP must be maintained.

We have been invited by Pastor Delta McNeish, the new chair, to participate in the 'new' FSCPP under church control. However, the substantial funds necessary for restoration and construction can only be raised and disbursed by a committee at arm's-length from the church.

Because we are concerned about the future of the chapel, we are requesting that the London Advisory Committee on Heritage designate the building for its significant cultural heritage value.

Genet Hodder

Former FSCPP chair, March 2015-January 2018

31 March 2018

Fugitive Slave Chapel Preservation Project

Report to LACH on archives management, historical research, and building resources for future programming

11 April 2018

1. In order to plan for the preservation and care of archival material, books and artifacts to be housed in the renovated chapel, I consulted local experts in the field of archival management in the summer and fall of 2015. My recommendations, submitted to the Steering Committee on 8 December 2015, included guidelines to advise the project architect, John Rutledge, in his design of storage and conservation space in the chapel basement. It also contained preliminary advice to the Steering Committee regarding future collection building and maintenance, which was framed to encourage conversation at the committee level regarding the chapel's future programming mandate.

2. The FSCPP has moved on many fronts to develop community interest in the restoration of the chapel and to increase knowledge about the history of the Black community in London. The history of the AME Church in London and the building it once occupied have long been subjects of my own historical research. In the spring of 2013, when the owner of 275 Thames Street sought a demolition permit from the City of London, I reported to the Heritage Planner and LACH on the history of ownership and occupancy of that property. Subsequently, with the formation of the FSCPP, I undertook to continue my research to discover as much of the history of the AME/BME churches in London as possible. My work will continue, independent of the governance issues currently affecting the FSCPP. Some accomplishments to date are:
 - 2.a. I have compiled information on those men who were the trustees of the AME Church that built the chapel on Thames Street, on those who sold it as trustees of the BME Church, and on those who were responsible for constructing Beth Emanuel on Grey Street. In the future, this database could grow to include information about all known members of London's early Black community.

 - 2.b. To learn more about the history of the AME Church, I have surveyed contemporary histories of that institution, and using those histories and other tools, have compiled a chronology (with bibliographic sources) of the AME/BME Church in Upper Canada and Canada West.

 - 2.c. Reverend Lewis Chambers was stationed at the chapel on Thames Street in London by the American Missionary Association during the early 1860s. I borrowed on interlibrary loan the two-reel collection of correspondence written by AMA missionaries stationed in Canada West to the AMA secretary in New York. I then made copies of all correspondence therein relating to London, and transcribed those letters with the intention of creating a source for the history of an important period of the growth of the Black community in London. Subsequently, those reels

were purchased by the D.B. Weldon Library at UWO to augment its already rich collection on Black history.

2.d. On 30 May 2017 I gave a talk at the Central Library in its “Terrific Tales of London & Area” series on “Rev. Lewis Chambers’ London Ministry to Blacks”. My interest in Chambers’ time in London grows, and I am working on an edition of his letters for possible publication.

3. As part of the application of funds from the Ontario Trillium Foundation, the FSCPP engaged Natasha Solomon to carry out an oral history project. She interviewed Londoners whose families had connections to Beth Emanuel Church, whose backgrounds trace directly to slavery in the U.S., or who have a long history in London’s Black community. These recorded stories and archival material relating to them will be available for research and as a resource for future programming when the learning centre opens.
4. During the work on this oral history project, Natasha worked closely with Stephen Harding, a local historian and collector. He has since donated to the FSCPP the material he assembled over many years on the history of the local Black community. It will be a valuable resource for those developing interpretive programs and is being kept safe in the London Room at Central library until the learning centre opens.

Hilary Bates Neary

27 March 2018

Information for LACH Agenda

Submitted by Nancy Tausky

April 3, 2018

I began to work with the FSCPP towards the end of 2014, at the request of then Chair George McNeish and some other members of the committee who were worried that some work then being done on the Chapel was not in keeping with acknowledged heritage standards. During the first year of my firm's engagement with the Chapel, and in keeping with the work plan the committee approved, Hilary Neary, the senior researcher in my firm, George McNeish, and I undertook a careful study of the Chapel building; worked with a small committee undertaking research in connection with the Chapel; and recommended both a structural engineer, James Knight, and also three heritage architects who were interviewed, with the result that John Rutledge was hired as the architect for the project.

Our initial examination of the building showed, among other things, that the building was strongly constructed, with four bents providing structure at both ends and two midpoints, with studs between, and with joists at both the ground-floor and attic levels interlocked with cross beams. (Comments on the building's original solidity were also made by James Knight in his first report.) In addition, we were able to detect wainscoting along all four of the exterior walls, with the exception of those in the southwest room, where walls were replaced after a collapse caused by storing too many heavy kitchen appliances within the room during its twentieth-century history. This provided a negative answer to one of our most basic questions: did the chapel initially contain any room divisions? The wainscoting consists of three broad, beaded boards laid horizontally instead of in the vertical position more commonly found in this area. with the exception of those in the southwest room, where walls were replaced after a collapse caused by storing too many heavy kitchen appliances within the room during its twentieth-century history with the exception of those in the southwest room, where walls were replaced after a collapse caused by storing too many heavy kitchen appliances within the room during its twentieth-century history. An entirely unique characteristic is the use of battens underlying the original subflooring, still found in the northwest corner of the Chapel. It was also confirmed that parts of the sills, posts, studs, and floorboards had rotted, owing largely, we thought, to the fact that the ground level had been built up above the stone foundation while the building was still at its Thames Street site.

The historical committee (Tara Jenkins, Lindsay Kernohan, Hilary Neary, and myself) continued research on several aspects of the Chapel history: research into the state of the black community in London during the mid-nineteenth century; research into the architectural history of AME and BME churches; and Hilary's research into the history of the AME and BME churches and into the letters of the one-time rector at the Chapel, the Reverend Lewis Chambers (she is now working on an edition). We spent a great deal of time searching for visual images of the chapel on early views of London, following up on material Tara had included in the earlier study of the Chapel she used towards her certification in Cultural Heritage from the University of Victoria. Regrettably, none of these views provided any significant information about the early appearance of the Chapel, as it was either missing, hidden, or very vaguely drawn in each. The earliest image of the Chapel to show it with any precision is thus from a 1926 edition of the *London Advertiser*, after the building had served as a residence for nearly sixty years. Research continues in all areas, though we have determined that several AME/BME chapels in southern Ontario were shaped much like the Fugitive Slave Chapel in London.

Having determined, in consultation with the FSCPP and the former Heritage Planner in London that the Chapel interior should be returned to its original state, we have made significant progress during the period since 2015 in removing the layers of external and internal materials that had accrued to the structure since it was originally built. Work has involved repairs to the roof, the removal of all but the underlying tongue-and-groove planks on the side and rear exterior walls; further stripping of plaster, plasterboard, and wallpaper from all interior walls except for those in the southwest room (see below); removal of the east-west wall separating the east side of the building into two rooms; removal of remaining false ceilings throughout the house; and the removal of the interior east-west wall in the northwest corner of the building. Restored samples of wallpaper from the northeast room have been preserved in a volume now place in the Central branch of the LPL; other samples of wallpaper and

newspaper removed from the walls, along with other material samples, are currently in my office in the Grosvenor Lodge coach house awaiting further restoration and analysis.

Several mysteries pertaining to the structure and appearance of the Chapel have thus been solved. In addition to the discovery that it consisted of one large room, mentioned above, we have discovered that the seven windows were once the same, fairly large size, and, while symmetrically placed on the front and back, the two on the west side and one on the east seem to have been located simply for considerations of convenience. A third window on the west side, close to the back wall, is narrower and lower, and appears to have been located at a different time than were the other seven. A fourth, very small window on the west side appears to have been added when one of the western rooms was turned into a bathroom. The walls that cross interior space appear to have been added at different times, in this order: a north-south wall just west of the front door, east west walls built of vertical planks producing divisions into three rooms along the west side of the house; an east-west wall dividing the east part of the house into front and back rooms; and the east west wall creating a narrow closet in the northwest corner of the building. The absence of any marks seen after the removal of the added hardwood flooring in the northwest section of the house suggests that a building-wide podium was never constructed across the north part of the structure. The façade of the building was initially distinguished by the use of narrower boards than those along the sides and back.

Not all accrued materials have yet been removed. The north-south interior wall remains, as do the two east-west walls made of vertical planks. (These walls were retained because Pathways felt they were essential to the building's stability; we now know this is true only of the north-south wall.) The plaster board in the southwest room, some hardwood flooring, and the front wall coverings have been retained for the same reason.

While many questions about the appearance and construction of the original building have been answered, it is hoped that this further work will provide some illumination regarding others, such as the following:

1. Can we make any further discoveries about the appearance of the original façade of the building? E.g., might nail holes show the position of a plaque identifying the chapel?
2. Was there originally a back door, and, if so, where?
3. What were the original windows like? The interior window surrounds appear to postdate c. 1850 when the building was erected; were the window enlarged at some point?



Exposing the original wide tongue-and-groove planks of the east wall



Varieties of materials covering the rear (north) wall



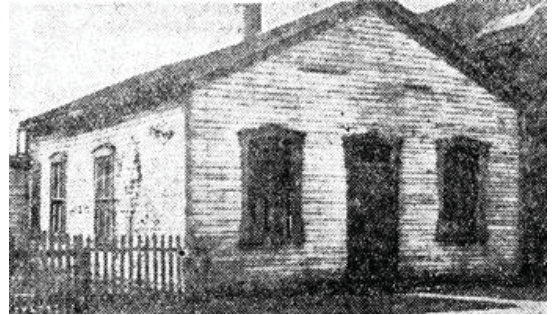
Hilary Neary and Tara Jenkins stripping wallpaper from vertical planks between two rooms in the western portion of the house



Looking along the north-south wall as it extends towards the rear of the building

FOR THE RECORD: The Fugitive Slave Chapel Presentation Project

April 11, 2018



Earliest picture of the fugitive slave chapel so far uncovered, from an 1826 issue of the *London Advertiser*

Chapel as a House on Thames Street



Artifacts from Archaeological Assessment
by Timmins Martelle



Mother and Daughter Churches on Grey Street

Moving Day



Drawing architect John Rutledge of the proposed facade of the Chapel restored as a Learning Centre



All hands tearing-back and recording finds



Susan Bentley at FSCPP display



Poster of the play 'My Name is Margaret Harman' by Jason Rip, produced at The ARTS Project in 2017

Visit to Dresden



The deed recording the trustees' purchase of the property and their occupations

Early TIME LINE: Fugitive Slave Chapel Building and Project

- 1847 Land on Thames Street purchased by trustees of African Methodist Episcopal (AME) Church, which became the British Methodist Episcopal Church in 1856
- c. 1848 Construction of the chapel building
- c.1848-1869 The AME (later BME) chapel served the Black community in London
- 1869 Chapel at 275 Thames Street, measuring 30' x 110', sold to James Seale, cooper
- c. 1869 Beth Emanuel Church (BEC) at 430 Grey Street opened
- Aug. 11, 1986 Building at 275 Thames Street is plaqued by the Historic Sites Committee
- March 13, 2013 Request for demolition submitted to LACH by James Donnelly for 3 adjacent properties including 275 Thames Street (the FSC)
- May-June 2013 Archaeological Assessment with volunteer labour
- March 22, 2013 FSCPP formed during landmark meeting at BEC, committees are formed
First chair is Shamara Baidoobonso 2013; Second chair is George McNeish 2014-15; Third chair is Genet Hodder 2015-January 2018
- November 12, 2014 Chapel building is moved to 432 Grey Street adjacent to Beth Emanuel Church and positioned on a new foundation

FSCPP Committee Membership Active members, aside from Church Trustees, as of 1/27/18

Executive Committee

- Chair :** Genet Hodder
Vice Chair: Joseph O'Neil
Treasurer: No separate FSCPP treasurer at time of dissolution
Secretary: Carolyn Cameron
Ex officio member: Reverend Delta McNeish, Pastor, Beth Emanuel Church
Fund Raising: Norman Steele

Others on Steering Committee with affiliations

- Maggie Whalley: Architectural Conservancy Ontario London, Heritage London Foundation
Janet Hunten: London Middlesex Historical Society, ACO London
Hilary Neary: London Public Library Historic Sites Committee member
Ariel Webster London Heritage Council
Natasha Solomon Oral history project

Professional Help

- Nancy Tausky: Heritage Consultant; James Knight, structural engineer
John Rutledge: Heritage Architect, 406 Queen Street, Blyth, ON N0M 1H0
Counsel and support from Heritage Planners Laura Dent, Kyle Gonyou, and (formerly) Don Menard;
Robin Armistead, City of London Culture Office; historians Stephen Harding and Alice Gibb

Report to London Advisory Committee on Heritage

To: Chair and Members
London Advisory Committee on Heritage

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: Heritage Alteration Permit Application By: Stantec Consulting Ltd.
The Green (165 Elmwood Avenue East)

Meeting on: April 11, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter The Green located at 165 Elmwood Avenue East, individually designated by By-law No. L.S.P.-2854-377 and within the Wortley Village-Old South Heritage Conservation District, **BE PERMITTED** as submitted.

Executive Summary

Summary of Request

Heritage Alteration Permit approval is required to permit alterations to The Green, located at 165 Elmwood Avenue East, which is “double designated” under both Parts IV and V of the *Ontario Heritage Act*.

The Ontario Heritage Trust also holds a Heritage Easement Agreement on the property, which requires separate approval for alterations.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to ensure that the proposed alteration to The Green conserves the property’s heritage attributes.

Rationale of Recommended Action

The proposed alterations are compatible with the cultural heritage value or interest of the London Normal School property and comply with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District*. The heritage attributes of the London Normal School property will be conserved in the proposed alteration to The Green.

Analysis

1.0 Background

1.1 Property Location

The Green is located at the London Normal School (165 Elmwood Avenue East) (Appendix A). The Green is located on the rear portion of the property, to the south of the London Normal School building. The remainder of The Green is bound by Wortley Road, Duchess Avenue, and Marley Place.

1.2 Cultural Heritage Status

The London Normal School, 165 Elmwood Avenue East, was designated under Part IV of the *Ontario Heritage Act* in 1985 by By-law No. L.S.P.-2854-377. The property is also subject to a Heritage Easement Agreement, held by the Ontario Heritage Trust. The Heritage Easement Agreement was first registered in 1986, and revised in 2014 when the City of London acquired the property. The property is also included within the

Wortley Village-Old South Heritage Conservation District, which was designated under Part V of the *Ontario Heritage Act* in 2015.

The Ontario Heritage Trust Heritage Easement Agreement has the most explicit and comprehensive description of the property's cultural heritage value or interest. The Statement of Cultural Heritage Value or Interest states,

The London Normal School is located on a park-like five-acre city block surrounded by streets of well-designed contemporary housing. Its park-like setting and open space enhances the imposing presence of this building with views from the south (rear) elevation from throughout the open space. The London Normal School is the only provincial normal school to retain significant elements of the original neighbourhood character.

...Located at 165 Elmwood Avenue East, the London Normal School is a prominent visual landmark in the community. The building is situated in a residential area in Wortley Village in the historic community of Old South London and the school can be seen from all angles in the neighbourhood. Sites for the province's normal schools were usually spacious, located in upscale neighbourhoods whose well-designed large homes provided a suitable setting. There are several mature trees located throughout the property and along its perimeter and the sidewalks leading to the student and teacher entrances follow a pattern similar to the original planned walkways.

The contextual heritage attributes of the grounds of the London Normal School (The Green) include:

- *Location on a rectangular, park-like two-and-a-half acre block;*
- *Mature trees located throughout the grounds and on the perimeter of the property;*
- *Historic walkway pattern leading to the student and teacher entrances;*
- *Views of the south (rear) elevation from throughout the open space;*
- *Clear unobstructed views of all four elevations.*

The individual heritage designation, the Wortley Village-Old South Heritage Conservation District, and the Heritage Easement Agreement recognize the landmark status of the London Normal School and The Green.

The property is also subject to the HER Zone. The HER regulations do not allow front yard or exterior side yard building additions and limit any future re-construction or replacement of the building to the same height, volume, floor area, general form, mass and external design as the original building or structure. Other regulations generally require that existing setbacks, landscaped open space, lot coverage and building height be maintained.

1.3 Description

The London Normal School building was designed by Francis R. Heakes, Provincial architect, and was constructed between 1898 and 1900. It is a significant example of the High Victorian architectural style exemplified in a public building. Architecturally, it draws on Romanesque, Gothic and Flemish Revival styles. It served as the Province's third Normal School (Teacher's College) until 1958. Between 1958 and 1964, the building was occupied as a junior high school, and then as the Education Centre offices for the London Board of Education until 1984. In 1985, it became the headquarters for the London and Middlesex Roman Catholic Separate School Board (Monsignor Feeney Centre for Catholic Education), who remained there until 2004. The building remained vacant until it was acquired by the City of London in 2014, and the YMCA moved into the building in 2016 following the completion of restoration/rehabilitation work and the construction of the accessibility addition to the rear of the building.

The Green is the green space which is located at the south end of the London Normal School property at 165 Elmwood Avenue East (Appendix B). It is nearly 5-acres in size,

and has a park-like setting. There are large, mature trees and large open, grassed spaces. The Green is a municipally-owned public park.

2.0 Legislative/Policy Framework

2.1 Provincial Policy Statement

The *Provincial Policy Statement* (2014) states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

2.2 Official Plan/The London Plan

Chapter 13 (Heritage of the City of London’s *Official Plan* (1989, as amended) recognizes that properties of cultural heritage value or interest:

Provide physical and cultural links to the original settlement of the area and to specific periods or events in the development of the City. These properties, both individually and collectively, contribute in a very significant way to the identity of the City. They also assist in instilling civic pride, benefitting the local economy by attracting visitors to the City, and favourably influencing the decisions of those contemplating new investment or residence in the City.

The objectives of Chapter 13 (Heritage) support the conservation of heritage resources, including encouraging new development, redevelopment, and public works to be sensitive to, and in harmony with, the City’s heritage resources (Policy 13.1.iii) as well as encouraging the protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community (Policy 13.1.ii). This direction is also supported by the policies of *The London Plan* (adopted 2016).

2.3 Ontario Heritage Act

The London Normal School property is “double designated” – designated under both Part IV and Part V of the *Ontario Heritage Act*. Heritage Alteration Permit approval is required for alterations to properties designated under Part IV of the *Ontario Heritage Act* if the alterations are “likely to affect” the property’s heritage attributes. Heritage Alteration Permit requirements are defined by the applicable Heritage Conservation District Plan for properties designated under Part V of the *Ontario Heritage Act*. Pursuant to Section 41(2.3) of the *Ontario Heritage Act*, a “double designated” property is subject to the provisions of Part V of the *Ontario Heritage Act* regarding the alteration of the property with the exception of any interior heritage attributes which are only designated under Part IV of the *Ontario Heritage Act*.

Pursuant to Section 42(4) of the *Ontario Heritage Act*, within 90-days of receipt of a complete application, Municipal Council may give the applicant:

- a) The permit applied for;
- b) Notice that Municipal Council is refusing the application for the permit; or,
- c) The permit applied for, with terms and conditions attached.

2.4 Wortley Village-Old South Heritage Conservation District Plan

The Green is noted as contributing to the streetscape character of the Wortley Village-Old South Heritage Conservation District. One of the goals of the *Wortley Village-Old South Heritage Conservation District* is to “recognize, protect, enhance and appreciate Wortley Village-Old South’s cultural heritage resources, including buildings, landscapes and historical connections, and value their contributions to the community” (Section 3.1.1, *Wortley Village-Old South Heritage Conservation District Plan*). Goals and objectives specific to the streetscape character of Section 3.1.3 of the *Wortley Village-Old South Heritage Conservation District Plan* include:

Goal: Maintain and enhance the visual, contextual and pedestrian oriented character of Wortley Village-Old South’s streetscape and public realm by:

- *Recognizing that the HCD’s cultural heritage resources includes streets, parks, trees, open spaces, street furniture, signs and all manner of items that contribute to the visual experience of the community, whether public or privately owned;*

- *Maintaining existing street trees, vegetation and boulevards and develop replacement programs where necessary to ensure tree canopy retention over time;*
- *Establishing a common ‘language’ of streetscape elements that will compliment the heritage attributes of the HCD and create greater continuity where disparate land uses and built forms exist; and,*
- *Providing guidance for the development of new buildings to ensure that new development is compatible with, and supportive of the cultural heritage value or interest and heritage attributes of Wortley Village-Old South HCD.*

Section 5.11.1 of the *Wortley Village-Old South Heritage Conservation District Plan* provides policy related to the London Normal School site. It notes, The Green “which is widely used by the neighbourhood and for a number of community events.” It further notes, “Any redevelopment of the London Normal School property should ensure the retention of the green for community use. Any redevelopment (future additions) should be sensitive to the heritage attributes and the cultural heritage value or interest of the HCD in scale, height and massing, as well as materials and finishes.”

The policies of Section 5.11.1 of the *Wortley Village-Old South Heritage Conservation District Plan* state:

- a) Community consultation should be undertaken for any redevelopment plans for the London Normal School;*
- b) Public Site Plan review shall be required for any development on the London Normal School;*
- c) The Heritage Planner shall be consulted on any project to be undertaken at the Normal School or on the Green.*

Additionally, the *Wortley Village-Old South Heritage Conservation District Plan* provides the following recommendations regarding the retention of The Green as a park/open space in Section 10.3.4:

- Mature vegetation should be managed within the property, adhering to current International Society for Arboriculture standards and practices for tree preservation and care;
- The original layout and design of the grounds should be respected, and in the event of a loss of vegetation, the features should be replaced with a specimen of the same species;
- The original spatial organization should be regarded, and the organization of elements, pathways and site circulation, views and topography should be conserved;
- Future uses of the Normal School should not impede or negatively impact the property’s grounds and every effort should be made to conserve the current extent of the green (softscaped landscape area).

3.0 Heritage Alteration Permit Application

3.1 Community Engagement

Since acquiring the property, the City has endeavoured to facilitate an extensive community engagement and involvement throughout the process. This included:

- An extensive public survey on the project, with over 1,000 respondents;
- Three separate public meetings, with an average attendance of 150 attendees;
- A booth collecting public feedback at Gathering on the Green;
- Three additional meetings held with the Old South Community Organization (OSCO) for their perspective and direction on how to proceed with the project, as an outcome of the responses from the survey; and,
- Two presentations to the London Advisory Committee on Heritage (LACH) to solicit input and advice on the process and design concepts.

At its meeting on May 11, 2016, the LACH received a presentation from Lisa McNiven, Parks Project Co-Ordinator with respect to The Green project on the London Normal

School lands. The LACH provided input into the three options that were initially considered for The Green. At its meeting on November 8, 2017, the LACH received a presentation from David Waverman, Stantec Consulting Ltd., with an update on the park design for The Green. The LACH provided comments in anticipation of this Heritage Alteration Permit application.

3.2 Previous Heritage Alteration Permit applications

The London Normal School property has been subject to two previous Heritage Alteration Permit applications.

An extensive restoration campaign was initiated while the property was under the ownership of the Province in 2007-2010, this included repair and repointing of masonry, restoration of windows, slate roof and chimney repairs. In January 2010, Municipal Council consented to a Heritage Alteration Permit application to alter the front entrance of the London Normal School building.

In January 2015, Municipal Council consented to a Heritage Alteration Permit application for the accessibility addition to the main structure, enclosed play areas adjacent to the east and west entry doors, fire safety access, traffic flow through the grounds and some landscaping components.

3.3 Heritage Alteration Permit Application

As required by the *Ontario Heritage Act*, the *Wortley Village-Old South Heritage Conservation District Plan* identifies classes of alterations that require, or do not require, Heritage Alteration Permit approval. Pursuant to Section 6.2 of the *Wortley Village-Old South Heritage Conservation District Plan*, Heritage Alteration Permit approval is required for “major alterations to built form or cultural heritage landscape visible from street or other public space.” Alterations to The Green therefore require Heritage Alteration Permit approval.

A Heritage Alteration Permit application was submitted by Stantec Consulting Ltd., on behalf of the City, and received on March 23, 2018. The applicant has applied for a Heritage Alteration Permit to alter The Green with the following details (Appendix C):

- Construction of a 1.8m wide light grey coloured concrete pathway along the eastern and northern edge of The Green with entrances at the southeast, east, west, and southwest, and connecting to the entrance plazas (see Drawing L-430);
- Construction of a 1.5m wide concrete sidewalk with light broom finish along the west side of the property, along Marley Place (see Drawing L-430);
- Construction of concrete entrance plazas with saw cut details and stamped leaf detail (maple, tulip, and oak) at the southeast (Duchess Avenue/Marley Place) and southwest (Duchess Avenue/Wortley Road) corners of The Green with two benches, a garbage receptacle, and the street names stamped into the concrete (see Drawings L-430, L-501, and L-502);
- Pathway will be accessible from the parking lot and the entrance place at the corner of Duchess Avenue and Marley Place, two more points on Marley Place, and two points along Wortley Road;
- Installation of 10 benches and two bike racks along the pathway (see details on Drawings L-430 and L-501);
- Incorporation of two electrical hubs to better support community events;
- Removal of the existing flagpole;
- Maintain existing mature trees and un-programmed open green space:
 - Remove eight existing trees and planting new trees based on the conceptual planting plan:
 - Seven trees within the road allowance to be removed, and one tree (blue spruce) in the north part of the property to be removed; and,
 - Recommended tree plantings should be native deciduous shade trees: autumn blaze maple, sugar maple, common hackberry, honey locust, and red oak.
 - Tree planting should be undertaken in consultation the community; and,

- New tree planting and ongoing maintenance of existing trees.
- Remove two existing soccer fields, with replacement of one informal soccer field with new goal posts.

As a Heritage Easement Agreement for the property is held by the Ontario Heritage Trust, their approval is required through a separate application.

4.0 Analysis

The Green is part of a significant cultural heritage resource, both to the City of London and to the Province. Conserving the heritage attributes of The Green has been of paramount importance through the whole engagement and design process.

The proposed alterations minimize the impact to the green space of The Green and enhance the “park like setting” through the introduction of the proposed walking pathway. The proposed use of concrete as the material for the proposed walking pathway is compatible with the existing and historic concrete walkways on the north half of the property. No alteration is proposed to the existing concrete pathways located in the north half of the site. Additionally, the style and orientation of the proposed walking pathway echoes the curvilinear, High Victorian style of historic pathways in a contemporary manner, and works to connect the north and south halves of the site. The proposed walking pathway has been enhanced by a design that will improve the accessibility of The Green through the introduction of tactile pads at intersections and benches. The benches and bike racks implement the styles recommended by the *Wortley Village-Old South Heritage Conservation District Plan* as part of its common language of streetscape elements. Lighting within The Green is not proposed.

The proposed walking pathway has been aligned to protect the existing mature trees, requiring only eight trees to be removed and enhancing the tree canopy of The Green through the planting of new, native deciduous shade trees. More trees are proposed for planting than are proposed for removal. Recommended species include, but are not necessarily limited to: autumn blaze maple, sugar maple, common hackberry, honey locust, and red oak. Final location, species, and planting details for new trees within The Green should be undertaken in consultation with the community. The alterations to The Green comply with the guidelines of Section 10.3.4 of the *Wortley Village-Old South Heritage Conservation District Plan*. Good arboriculture is being practiced at The Green with a compatible mix of specimen replacement, respect for the original layout and design of the grounds by retaining the wide open space.

Alterations to The Green comply with Section 5.11.1 of the *Wortley Village-Old South Heritage Conservation District Plan* as it envisions that The Green will still be widely used by the neighbourhood for a number of community events as the community’s gathering spot. The process requirements of Section 5.11.1 of the *Wortley Village-Old South Heritage Conservation District Plan* have also been met.

Display of the Heritage Alteration Permit is generally included as a condition of approval for alterations to heritage designated properties. The proposed alterations to The Green do not have a sensible location to display the Heritage Alteration Permit (as displaying it on the London Normal School building would suggest alteration to that building). Therefore, this condition is not recommended for the proposed alterations to The Green.

5.0 Conclusion

The London Normal School and The Green are a significant cultural heritage resource. The proposed alterations to The Green have been sensitively designed to ensure that the cultural heritage value and heritage attributes are protected, while improving access to this treasured landscape. The proposed alterations to The Green should be permitted by Municipal Council.

This report was prepared with the assistance of Lisa McNiven, Parks Project Coordinator.

Prepared by:	Kyle Gonyou, CAHP Heritage Planner
Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Research
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

April 4, 2018
KG/

Appendix A – Map

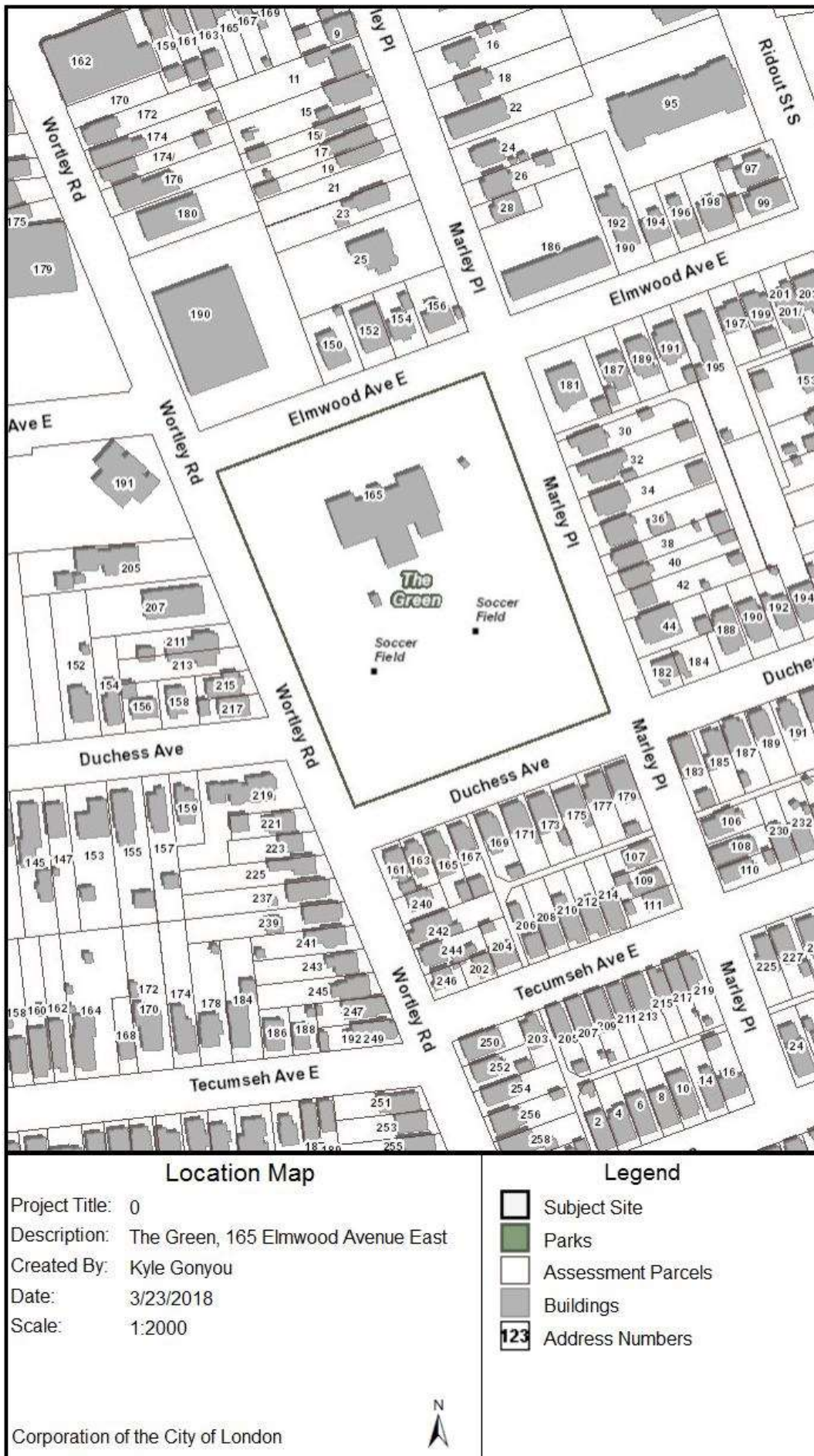


Figure 1: Location map of The Green, located at 165 Elmwood Avenue East (behind the Normal School).

Appendix B – Images



Image 1: Aerial Photograph (1922), showing The Green.



Image 2: Photograph of the rear façade of the Normal School, looking north from Duchess Avenue showing The Green (1962).



Image 3: View of The Green looking east from the intersection of Duchess Avenue and Wortley Road (June 11, 2015).



Image 4: View of The Green looking west from Marley Place and Duchess Avenue (June 11, 2015).

Appendix C – Drawings

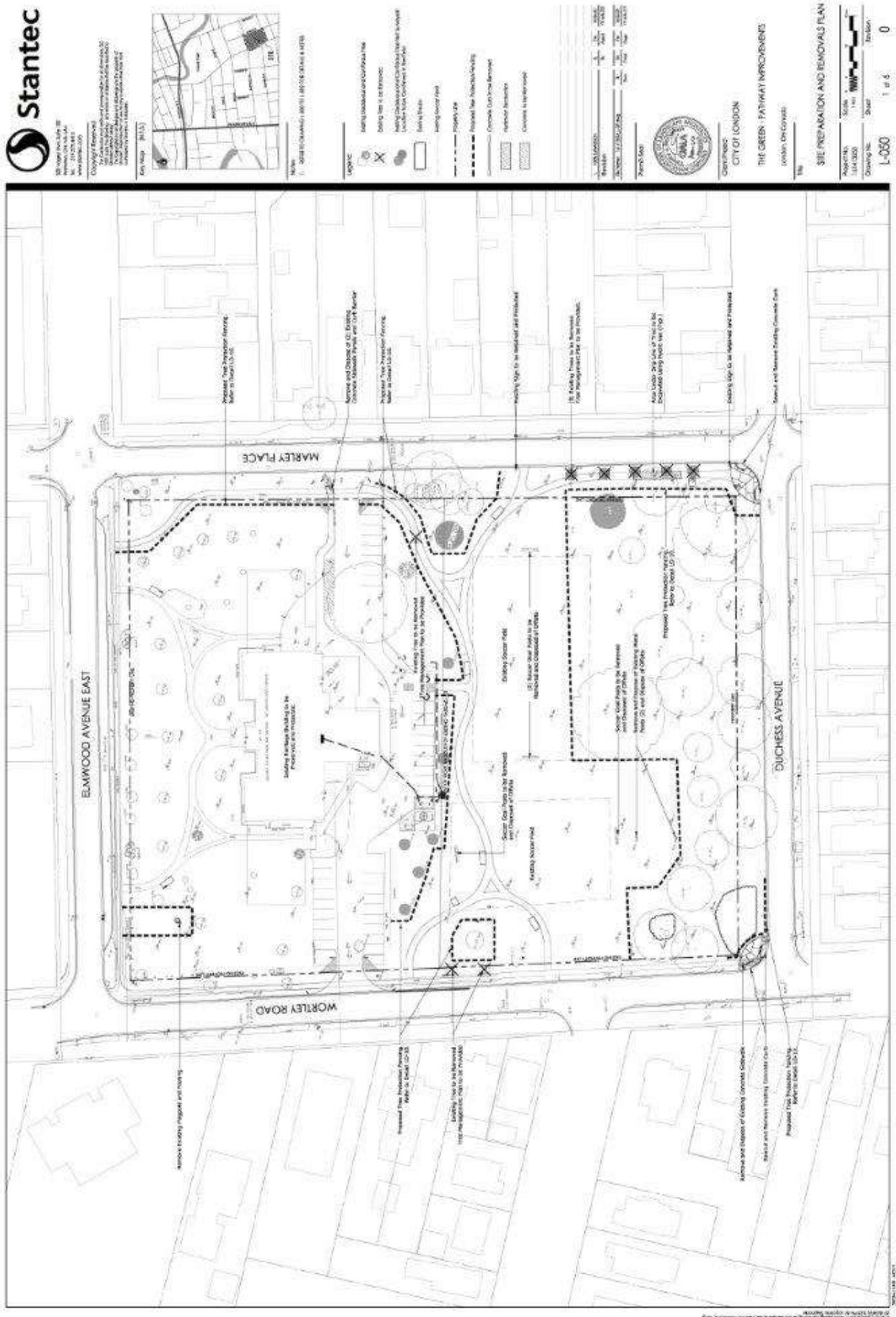


Figure 2: Drawing L-050: Site Preparation and Removals Plan (April 2, 2018).



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Notes:
 1. See drawings with applications & notes

- LEGEND
- Existing Landmark/Structure
 - Proposed Planting
 - Proposed Pathway
 - Proposed Cycleway
 - Proposed Street Furniture
 - Proposed Street Lighting
 - Proposed Street Trees
 - Proposed Street Planting
 - Proposed Street Planting
 - Proposed Street Planting

NO.	DATE	DESCRIPTION	BY	CHKD
1	18/04/2018	Issue for Planning	K. Gonyou	
2	18/04/2018	Issue for Planning	K. Gonyou	
3	18/04/2018	Issue for Planning	K. Gonyou	
4	18/04/2018	Issue for Planning	K. Gonyou	
5	18/04/2018	Issue for Planning	K. Gonyou	
6	18/04/2018	Issue for Planning	K. Gonyou	
7	18/04/2018	Issue for Planning	K. Gonyou	
8	18/04/2018	Issue for Planning	K. Gonyou	
9	18/04/2018	Issue for Planning	K. Gonyou	
10	18/04/2018	Issue for Planning	K. Gonyou	



CITY OF LONDON
 THE GREEN - PATHWAY IMPROVEMENTS
 London, UK

PLANNING PLAN
 SCALE: 1:100
 Drawing No: L-460
 Sheet: 3 of 4
 Revision: 0

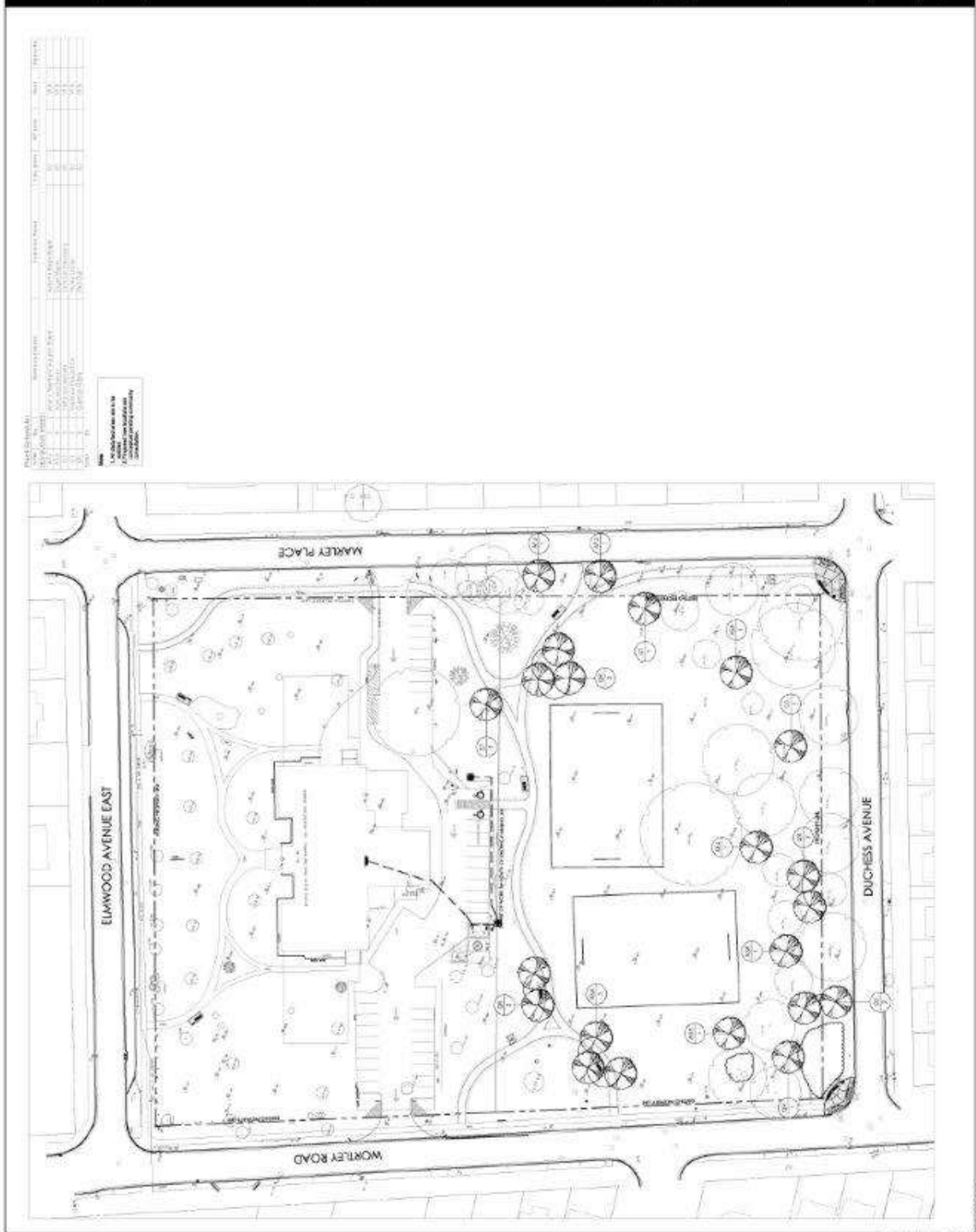


Figure 4: Drawing L-460: Planting Plan (April 2, 2018).



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DATE: 04/02/18

PROJECT: THE GREEN - PATHWAY IMPROVEMENTS

DATE: 04/02/18	SCALE: 1/8" = 1'-0"
PROJECT: THE GREEN - PATHWAY IMPROVEMENTS	DATE: 04/02/18
PROJECT: THE GREEN - PATHWAY IMPROVEMENTS	DATE: 04/02/18
PROJECT: THE GREEN - PATHWAY IMPROVEMENTS	DATE: 04/02/18
PROJECT: THE GREEN - PATHWAY IMPROVEMENTS	DATE: 04/02/18



CITY OF LONDON

THE GREEN - PATHWAY IMPROVEMENTS

London, Ontario

LANDSCAPE DETAILS

Sheet 4 of 4

L-500

0

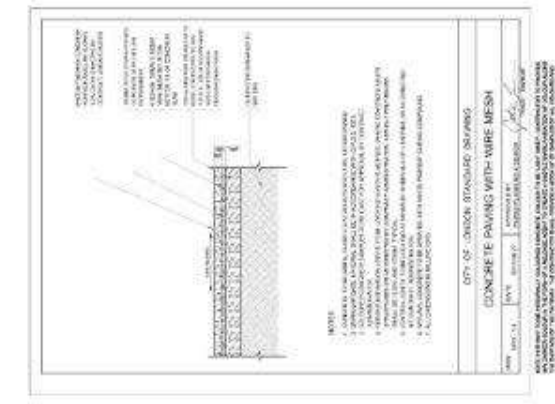
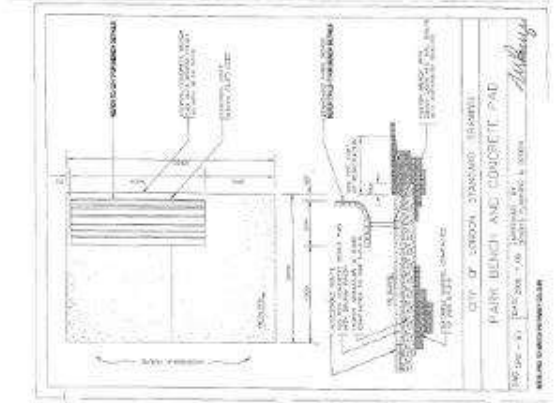
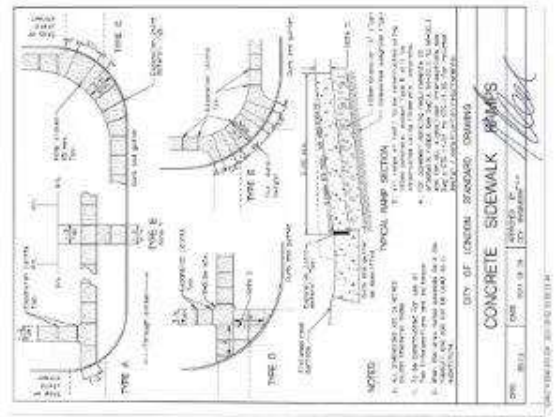
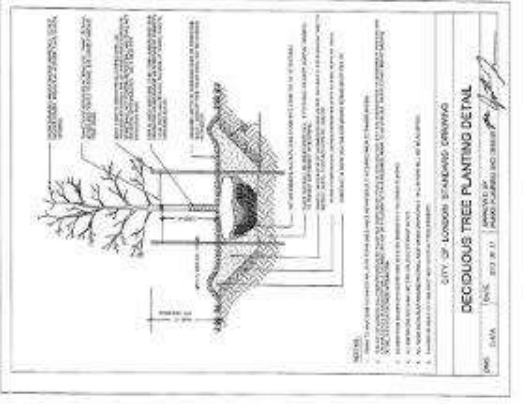
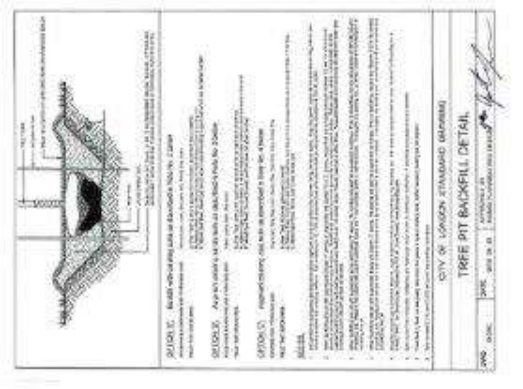
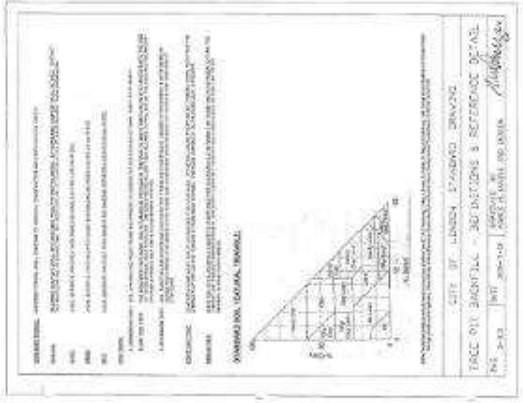


Figure 5: Drawing L-500: Landscape Details (April 2, 2018).



London
CANADA



Heritage Alteration Permit 165 Elmwood Avenue E. The Green

London Advisory Committee on Heritage
April 11, 2018

london.ca



London
CANADA

Normal School

- Built 1898-1900
- Designated under Part IV, *Ontario Heritage Act* (1986)
- Ontario Heritage Trust Easement (1986, 2014)
- Wortley Village-Old South HCD (2015)
- HER Zone



1901



1962



London
CANADA

Wortley Village-Old South HCD Plan

- Section 3.1.1: Goals: “maintain and enhance”
- Section 5.11.1: “... ensure retention of The Green for community use” ... “sensitive to heritage attributes...”
- Section 10.3.4: The Green as park/open space
 - Manage mature vegetation
 - Respect original layout and design
 - Conserve spatial organization
 - Conserve The Green



London
CANADA

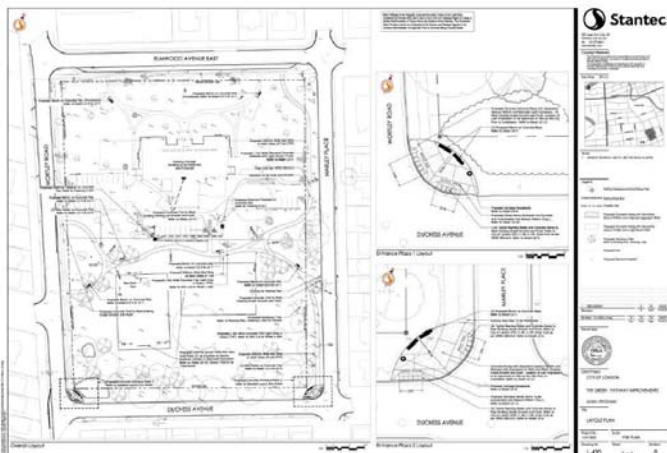
Community Engagement

- Public survey - over 1,000 respondents
- Three public meetings
- Gathering on the Green
- Three additional meetings held with the Old South Community Organization (OSCO)
- LACH: May 11, 2016 & November 8, 2017



London
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Heritage Alteration Permit



London
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Analysis

- Designed to minimize impact on green space
- Echo Victorian design of existing pathways
- Benches and bike racks in recommended style
- 8 trees to be removed; more replacements planted
- Complies with the policies and guidelines of the *Wortley Village-Old South HCD Plan*



Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter The Green located at 165 Elmwood Avenue East, individually designated by By-law No. L.S.P.-2854-377 and within the Wortley Village-Old South Heritage Conservation District, **BE PERMITTED** as submitted.



MEMO

To: Chair & Members, London Advisory Committee on Heritage

From: John Fleming, Managing Director, Planning Services & City Planner
George Kotsifas, Managing Director, Development & Compliance Services & Chief Building Official

Date: April 11, 2018

Re: Conditions on the Demolition of Heritage Designated Properties

At its meeting on September 12, 2012, the London Advisory Committee on Heritage made the following recommendation,

The Civic Administration BE ASKED to provide written interpretation on Section 34(2) of the Ontario Heritage Act, with respect to the types of conditions that can be imposed when Municipal Council consents to a demolition application, including future site plan approval.

And, at its meeting on November 8, 2017, the London Advisory Committee on Heritage (LACH) made the following recommendation,

The Managing Director, Planning and City Planner, and the Managing Director, Development and Compliance Services and the Chief Building Official BE REQUESTED to provide a response with respect to the feasibility of requiring an approved Building Permit as a pre-condition for the approval of a request demolition of a heritage designated property, it being noted that the London Advisory Committee on Heritage received a communication dated October 12, 2017 from S. Adamsson with respect to this matter.

Applicable Law

There are two pieces of legislation at play when considering a demolition request for a property designated under Part IV and/or Part V of the *Ontario Heritage Act*: the *Ontario Heritage Act* and the *Building Code Act*.

In 2005, the *Ontario Heritage Act* was amended to give greater powers to municipalities to prevent the demolition of properties designated under the *Ontario Heritage Act*. Section 34 of the *Ontario Heritage Act* articulates the process requirements for a demolition request for a building or structure located on an individual property designated under Part IV of the *Ontario Heritage Act*, Section 42 of the *Ontario Heritage*

Act articulates the process requirements for a demolition request of a building or structure located on a property within a Heritage Conservation District designated under Part V of the *Ontario Heritage Act*. Ultimately, Municipal Council may:

- Approve the demolition request
- Approve the demolition request with terms and conditions
- Refuse the demolition request

The approval of the demolition request with terms and conditions and the refusal of the demolition request may be appealed to the Ontario Municipal Board (OMB)/Local Planning Appeal Tribunal (LPAT).

In Part 8(2) of the *Building Code Act*, it states, “the chief building official shall issue a permit referred to in subsection (1) unless, (a) the proposed building, construction or dwelling will contravene this Act, the building code or any other applicable law” [emphasis added].

Specified sections of the *Ontario Heritage Act* are applicable law to the *Building Code Act*. Our existing process in the City of London requires that the *Ontario Heritage Act* process be satisfied before any *Building Code Act* processes can be completed. For example, a Heritage Alteration Permit must be obtained before a Building Permit can be issued. Therefore, requiring a Building Permit be issued as a condition on a demolition request for a heritage designated property is not feasible.

Terms and Conditions for the approval of a Demolition Request of a Heritage Designated Property

Section 34(2) of the *Ontario Heritage Act* enables a municipality to attach terms and conditions to the consent of a demolition request for an individually designated property. Section 42(4) of the *Ontario Heritage Act* enables a municipality to attach terms and conditions to the permit for a demolition request for a property located within a Heritage Conservation District.

A variety of terms and conditions have been attached to the demolition of heritage designated properties in the past. Typical conditions include:

- Photographic documentation
- Measured, scale drawings
- Salvage of general or specific elements
- Approved Heritage Alteration Permit for a replacement building

Successful terms and conditions rely on process within the *Ontario Heritage Act*. For example, the demolition request for 136-138 Wortley Road, located within the Wortley Village-Old South Heritage Conservation District, was approved on the terms and conditions of obtaining a Heritage Alteration Permit. Its resolution read, that the permit to demolish “be granted with the condition that, prior to the initiation of the demolition, the applicant obtain a Heritage Alteration Permit for an approved replacement structure that promotes the goals and objectives of the Wortley Village-Old South Heritage

Conservation District Plan and is in keeping with appropriate City policies.” Said Heritage Alteration Permit application moved forward concurrently with the demolition request to satisfy the terms and conditions for the approval of the demolition request.

Another example would be the demolition request for 345-359 Ridout Street North, located within the Downtown Heritage Conservation District, which was approved with the terms and conditions of providing measured drawings and photographic documentation of the buildings to be removed, as well as a conservation plan to ensure the protection and structural viability of adjacent buildings that may be affected by the demolition activities (secured through a bond/certificate of insurance). These matters were satisfied before the *Building Code Act* demolition permit was issued.

A third example would be the demolition request for 150 Dundas Street, located within the Downtown Heritage Conservation District, which was approved with terms and conditions including the requirement to obtain Site Plan Approval for the property and to submit full Building Permit drawings. This requires the property owner to undertake a substantial investment in the redevelopment of the property prior to being able to obtain a demolition permit, which aims to avoid gaps in the streetscape.

In these examples, the terms and conditions for the approval of the demolition under the *Ontario Heritage Act* must be satisfied first before a demolition permit under the *Building Code Act* may be issued. Therefore terms and conditions under the *Ontario Heritage Act* cannot rely on processes under the *Building Code Act*.

Ensuring that Demolition Permits for Heritage Listed and Designated Properties are not issued?

Since the repeal of the demolition control by-law, Civic Administration, through the Building By-law, has implemented the Required Clearances for Demolition Permit form. This requires the Heritage Planner to sign off on every demolition request within the City of London. This ensures that all properties listed on the Register (*Inventory of Heritage Resources*) and designated under the *Ontario Heritage Act* are flagged and the applicable processes are followed.

In 2017, the Heritage Planner reviewed 96 Required Clearances for Demolition Permit forms.

Limitations

Heritage Listed Properties

The provisions which enables Municipal Council to attach terms and conditions to the approval of a demolition request for a property designated under Parts IV and/or V of the *Ontario Heritage Act* are not afforded to properties listed on the Register (*Inventory of Heritage Resources*). Pursuant to Section 27(3) of the *Ontario Heritage Act*, the only cultural heritage protection for heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Municipal Council may issue its Notice

of Intent to Designate, which would render all permits void per Section 30(1) of the *Ontario Heritage Act*, or allow the demolition to proceed and remove the property from the Register (*Inventory of Heritage Resources*). It is not possible to attach terms and conditions to a demolition request for a heritage listed property.

Occasionally, requests of a property owner may be made during the demolition process for a heritage listed property. For example, if a property is found to not demonstrate sufficient cultural heritage value or interest (per O. Reg. 9/06) to merit designation under the *Ontario Heritage Act*, but there is a building element of some interest (e.g. a stained glass window), Municipal Council could request that a property owner salvage that stained glass window.

How to Compel Construction?

The issuance of a building permit does not guarantee that a building will be constructed. A permit holder may request, in writing, to have their permit revoked (without the need to state a reason) per Section 8(10)(e) of the *Building Code Act*.

Similarly, an approved Heritage Alteration Permit does not guarantee that a building will be constructed. It may be several years before a Heritage Alteration Permit is implemented, and it is possible to amend a Heritage Alteration Permit.

Buildings located on a Farm

A demolition permit is not required to demolish a building located on a farm under the *Ontario Building Code* (including a farm house); however, this does not change the obligations of property owners regarding Section 27(3) of the *Ontario Heritage Act* for heritage listed properties. Section 27(3) of the *Ontario Heritage Act* requires the owner of a heritage listed property to give Municipal Council at least 60-days notice in writing of their intention to demolish or remove the structure or building. During this time, Municipal Council may issue its Notice of Intent to Designate, which would render all permits void per Section 30(1) of the *Ontario Heritage Act*.

Civic Administration is investigating means to ensure that any buildings located on farms that are listed on the Register (*Inventory of Heritage Resources*) receive this interim protection. Demolition of a barn on a heritage designated property could result in fines up to \$1,000,000 or up to one year imprisonment.

“Demolition By Neglect”

An approved demolition with terms and conditions that the building not be demolished until a Heritage Alteration Permit has been approved does not incent a property owner to maintain the building. Terms and conditions cannot address problems of building deterioration or “demolition by neglect,” which are better addressed through the enforcement of the minimum standards for heritage designated properties within the *Property Standards By-law*.

Conclusion

Attaching terms and conditions to the approval of a demolition request is only possible for properties designated under Parts IV and/or V of the *Ontario Heritage Act*. These terms and conditions can help ensure that an archival record of a past building is created, among other objectives.

There is no certainty that any proposed replacement building will be constructed. Care and consideration must be given to ensure that significant cultural heritage resources are conserve. Staff will continue to explore means and measures to ensure the conservation of our significant cultural heritage resources.



Z-8878
Planner: Michelle Knieriem
Telephone: 519-661-2489 ext. 4549
Fax: 519-661-5397
Email: mknieriem@london.ca
Website: www.london.ca

March 7, 2018

NOTICE OF APPLICATION TO AMEND THE ZONING BY-LAW

The Municipal Council for the City of London is considering an amendment to the City's Zoning By-law for the lands shown on the attached map. The requested change is described below. We are advising you of this application to invite your comments.

APPLICANT:

City of London

LOCATION:

City-wide - Low-density residential zones (R1, R2, R3) within the Primary Transit Area, as shown on Schedule A. - see attached map

PURPOSE AND EFFECT:

The purpose and effect of the requested Zoning By-law amendment is to clarify regulations for R1, R2, and R3 zones within the Primary Transit Area relating to the provisions adopted as part of By-law Z.1-172575, a 2017 Zoning By-law amendment that addressed the compatibility of new development within existing low-density residential neighbourhoods in the Primary Transit Area. The requested amendment would provide clarification on how these regulations are applied to additions to existing buildings and greenfield sites.

POSSIBLE AMENDMENT:

Possible changes to Zoning By-law Z.-1 to modify regulations in "Section 4.23 Regulations for Low-rise Residential Development in the Primary Transit Area" to provide clarity on how these regulations are applied to additions to existing buildings and greenfield sites.

Additional housekeeping amendments to the Zoning By-law Z.-1 may be considered where other sections and regulations cross-reference the above.

PLANNING POLICIES:

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are primarily designated as Low Density Residential in the Official Plan, which permits a range of residential uses as the primary permitted uses.

The subject lands are generally within the Neighbourhoods Place Type in *The London Plan* (Council-adopted but not in force and effect), permitting a range of residential uses as primary permitted uses.

HOW TO COMMENT:

Your opinion on this application is important. Please call in, mail, e-mail or fax your comments to The City of London, Planning Services, P.O. Box 5035, London, ON, N6A 4L9, Attention

Michelle Knieriem **by March 27, 2018**, if possible. Please ensure you refer to the file number or municipal address of the item on which you are commenting.

Please Note: Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-2489 extension 4937.

A neighbourhood or community association may exist in your area. If it reflects your views on this proposal, you may wish to select a representative of the association to submit comments on your behalf.

This is a City-wide amendment that will affect multiple Wards. Your representative on City Council would be pleased to discuss any concerns you may have with this application.

PUBLIC MEETING:

The appropriateness of the requested Zoning By-law amendment will be considered at a future meeting of the Planning & Environment Committee. You will receive another notice inviting you to attend this meeting.

If a person or public body does not make oral or written submissions at a public meeting or make written submissions to the City of London before the proposed amendment is adopted, the person or public body may not be entitled to appeal the decision of the Council of the City of London to the Ontario Municipal Board, or may not be added by the Board as a party to the hearing of an appeal unless, in the opinion of the Board, there are reasonable grounds to do so.

FOR INFORMATION:

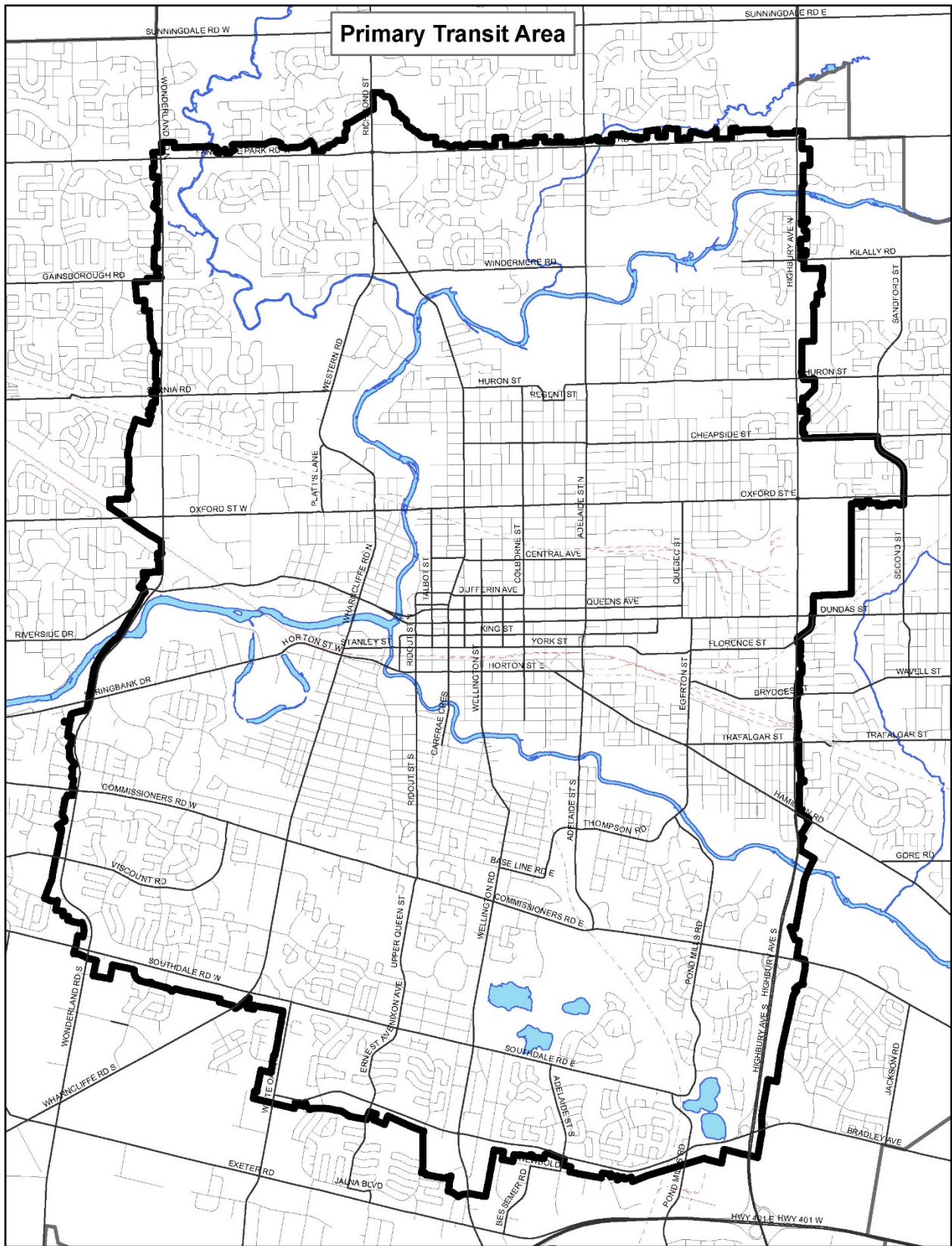
If you wish to view additional information or material about the requested Zoning By-law amendment, it is available to the public for inspection at Planning Services, 206 Dundas St., London, ON, Monday to Friday, 8:30a.m.-4:30p.m.

For more information, please call Michelle Knieriem at 519-661-2489 extension 4549, referring to "Z-8878".

TO BE NOTIFIED:

If you wish to be notified of the adoption or refusal of a request to amend the Zoning By-law, you must make a written request to the City Clerk, 300 Dufferin Avenue, P.O. Box 5035, London, ON N6A 4L9. You will also be notified if you address the Planning & Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

SCHEDULE A



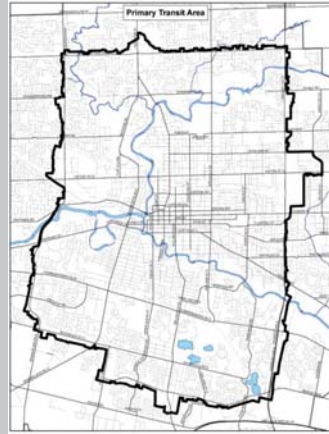
Z-8878

Technical amendments to setback requirements for low-rise residential development in the Primary Transit Area

The Corporation of the City of London
April 11, 2018



Where does this apply?



- Applies to development and additions in Residential (R1, R2 and R3) Zones in the Primary Transit Area
- Primary Transit Area is generally bounded by Fanshawe Park Road, Highbury Avenue, Bradley Avenue, and Wonderland Road



Current Provisions

4.23.1 Front and Exterior Side Yard Setback

- a) The Maximum Front and Exterior Side Yard setbacks shall be established as follows:
- the average setback of **the two closest residential buildings** to the subject site oriented to the same street, within the same block, on the same side of the street;
 - where the setbacks of the two (2) closest buildings to the subject site from (i) above differ by 5.0 metres or greater - the average of the **four (4) closest residential buildings** oriented to the same street, within the same block, on the same side of the street;
 - where the subject site is within a block with fewer than the required number of existing residential buildings from (i) or (ii) above, the **average setback of all residential buildings oriented to the same street, within the same block, on the same side of the street;**
- b) The Minimum Front and Exterior Side Yard setbacks shall be established as follows:
- The **smallest Main Building setback** that exists from (i), (ii) or (iii);
 - The minimum setback for a Private Garage shall be 6.0 metres, or the setback of the Main Building, whichever is greater.



Current Provisions

4.23.2 Interior Side Yard Setbacks

- a) 1.2 metres; for any portion of the side yard adjacent to a part of the building not exceeding two storeys in height, plus 0.6 metres for each storey or part thereof above two storeys; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres.
- b) Where parking is provided in the side or rear yard, the minimum setback of the opposite side yard may be reduced to a minimum of 0.6 metres for any portion of the side yard adjacent to a part of the building not exceeding two storeys in height, plus 0.6m for each storey or part thereof above two storeys.

4.23.3 Building Depth

The maximum building depth shall not exceed 60% of the actual lot depth. Minimum rear yard setbacks outlined in Table 5.3, Table 6.3 and Table 7.3 still apply.

4.23.4 Garage Width

The maximum residential garage width (interior walls) shall not exceed 50% of the building façade width.



Issues

- Application of **minimum and maximum front and exterior side yard setback provisions to additions to existing buildings** means that, at times, applicants need to go to the Committee of Adjustment for existing portions of their property that do not conform with the new zoning by-law maximum setback standards, when the addition would otherwise be as-of-right
- Application of **maximum front and exterior side yard setback provisions to new lots** created on a **new street** where there are **no other residential buildings nearby** (plan of subdivision) would be challenging



London Advisory Committee on Heritage

Report

4th Meeting of the London Advisory Committee on Heritage
March 14, 2018
Committee Rooms #1 and #2

Attendance PRESENT: D. Dudek (Chair), J. Cushing, H. Elmslie, H. Garrett, S. Gibson, T. Jenkins, J. Manness, B. Vazquez and M. Whalley and J. Bunn (Secretary).

ABSENT: S. Adamsson, D. Brock and K. Waud.

ALSO PRESENT: J. Dent, L. Dent, K. Gonyou, K. Ouderkirk and A. Rammeloo.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that H. Garrett disclosed a pecuniary interest in clauses 2.1 and 3.2 of this report, having to do with a Heritage Alteration Permit by D. Lansink with respect to the property located at 67 Euclid Avenue and a Notice of Application by Paramount Developments (London) Inc. related to the property located at 809 Dundas Street, respectively, by indicating that her employer was contacted by the applicant for advice on item 2.1 and her employer is the agent on the file for item 3.2.

2. Scheduled Items

2.1 Heritage Alteration Permit - 67 Euclid Avenue, Wortley Village - Old South Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to erect a new building on the property located at 67 Euclid Avenue, within the Wortley Village – Old South Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the ~~attached~~ presentation from L. Dent, Heritage Planner and the ~~attached~~ handout from D. Lansink, were received with respect to this matter.

2.2 Demolition Request and Heritage Alteration Permit Application by 2436069 Ontario Ltd - 504 English Street, Old East Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 504 English Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report

dated March 14, 2018, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;
- the property owner demonstrate, to the satisfaction of the Heritage Planner, that sufficient quantity and quality of brick may be salvaged from the existing building for reuse to clad the proposed building as shown in Appendix D;
- the property owner be requested to salvage any elements of the existing building that may be suitable for reuse;
- the property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the attached presentation from K. Gonyou, Heritage Planner, was received with respect to this matter.

2.3 Demolition Request and Heritage Alteration Permit Application by Kapland Construction Inc. - 491 English Street, Old East Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;
- the property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the London Advisory Committee on Heritage requests that the City of London not use chain link fence along the north façade of the subject property;

it being further noted that the attached presentation from K. Gonyou, Heritage Planner was received with respect to this matter.

2.4 Cultural Heritage Evaluation Report - 3544 Dingman Drive

That the Cultural Heritage Evaluation Report for the property located at 3544 Dingman Drive, dated March 2018, from AECOM, BE REFERRED to the Stewardship Sub-Committee to review the Statement of Cultural Heritage Value or Interest and report back to the London Advisory Committee on Heritage (LACH) with respect to this matter;

it being noted that the LACH recommends that the cultural heritage resource at 3544 Dingman Drive be designated and be incorporated into the future expansion of the Dingman Creek Pumping Station;

it being further noted that the attached presentation from M. Greguol, AECOM was received.

3. Consent

3.1 3rd Report of the London Advisory Committee on Heritage

That it BE NOTED that the 3rd Report of the London Advisory Committee on Heritage, from its meeting held on February 14, 2018, was received.

3.2 Notice of Application - Paramount Developments (London) Inc. - 809 Dundas Street

That the following actions be taken with respect to the Notice of application dated February 21, 2018, from S. Wise, Planner II, related to the application by Paramount Developments (London) Inc., with respect to the property located at 809 Dundas Street:

a) S. Wise, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research contained in the Heritage Impact Statement dated January 2018, prepared by Zelinka Priamo Ltd. for the adjacent property located at 795 Dundas Street; and,

b) the LACH recommends that the property located at 432 Rectory Street BE ADDED to the Register (Inventory of Heritage Resources) for physical/design and historical/associative reasons.

3.3 Notice of Application - City of London - City-Wide - Low-Density Residential Zones (R1, R2, R3) within the Primary Transit Area as shown on Schedule A

That M. Knieriem, Planner II, BE REQUESTED to attend the April meeting of the London Advisory Committee on Heritage to provide clarification with respect to the Notice of application dated March 7, 2018, related to an application by the City of London with respect to City-wide - Low-density residential zones (R1, R2, R3) within the Primary Transit Area.

3.4 Request for Delegation - G. Hodder - Fugitive Slave Chapel Preservation Project

That the delegation request from G. Hodder related to the Fugitive Slave Chapel Preservation Project BE APPROVED for the April 2018 meeting of the London Advisory Committee on Heritage.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee

That the following actions be taken with respect to the Stewardship Sub-Committee Report from its meeting held on February 28, 2018:

a) further cultural heritage work BE COMPLETED for the revised attached list of properties, including Cultural Heritage Evaluation Reports (CHER) and/or Heritage Impact Assessments (HIA), with respect to the Draft Cultural Heritage Screening Report – London Bus Rapid Transit System;

b) the Terms of Reference for HIAs and CHERs BE PREPARED;

c) the properties requiring further cultural heritage review that are not yet listed on the Register (Inventory of Heritage Resources) BE ADDED to the Register;

d) further review BE UNDERTAKEN to identify specific properties that may be affected within the Downtown Heritage Conservation District, West Woodfield Heritage Conservation District and Blackfriars/Petersville Heritage Conservation District to identify where property-specific HIAs may be required; and,

e) the remainder of the Stewardship Sub-Committee report BE RECEIVED.

5. Items for Discussion

5.1 Heritage Alteration Permit Application by: M. Telford - 200 Wharncliffe Road North, Blackfriars/Petersville Heritage Conservation District

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to alter the porch of the building located at 200 Wharncliffe Road North, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED, subject to the following terms and conditions being met:

- the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;
- all exposed wood be painted;
- square spindles, set between a top and bottom rail, be installed as the guard;
- the top rail of the guard be aligned with the height of the capstone of the cast concrete plinths; and,
- the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the ~~attached~~ presentation from K. Gonyou, Heritage Planner, was received with respect to this matter.

5.2 Heritage Planners' Report

That it BE NOTED that the ~~attached~~ submission from K. Gonyou and L. Dent, Heritage Planners, with respect to various updates and events, was received.

5.3 Work Plan

That the following actions be taken with respect to the London Advisory Committee on Heritage (LACH) Work Plans:

- a) the revised, ~~attached~~ 2018 Work Plan for the LACH BE FORWARDED to the Municipal Council for consideration; and,
- b) the ~~attached~~ 2017 LACH Work Plan Summary BE FORWARDED to the Municipal Council for their information.

6. Deferred Matters/Additional Business

None.

7. Adjournment

The meeting adjourned at 8:05 PM.



P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

March 7, 2018

J. Yanchula
Manager, Urban Regeneration

I hereby certify that the Municipal Council, at its meeting held on March 6, 2018 resolved:

16. That the following actions be taken with respect to the 3rd Report of the London Advisory Committee on Heritage from its meeting held on February 14, 2018:

- a) the Cultural Heritage Screening Report for the London Bus Rapid Transit System, dated February 6, 2018, from WSP Group, BE REFERRED to the Stewardship Sub-Committee for review of properties identified in the Screening Report which may require further heritage research and a report back to the March meeting of the London Advisory Committee on Heritage (LACH) with respect to this matter;

it being noted that the LACH received the presentation appended to the 3rd Report of the LACH from J. Ramsay, Project Director, Rapid Transit Implementation and S. Jarrett, WSP Group, related to this matter;

- b) the following actions be taken with respect to the letter dated December 29, 2017, from W. Morgan, Community Heritage Ontario, seeking support from Ontario municipal heritage committees for federal action on the conservation of heritage properties:

- i) the establishment of a tax credit for the restoration and preservation of buildings listed on the Canadian Register of Historic Places BE ENDORSED by the London Municipal Council; and,
ii) the revised letter from the London Advisory Committee on Heritage, appended to the 3rd Report of the LACH in response to the above-noted communication from Community Heritage Ontario, BE APPROVED by the Municipal Council; and,

- c) clauses 1, 3 to 6, 9 and 10, BE RECEIVED. (16/4/PEC)

C. Saunders
City Clerk
/lm

cc. K. Gonyou, Heritage Planner
L. Dent, Heritage Planner
Chair and Members, London Advisory Committee on Heritage



P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

March 28, 2018

67 Euclid Avenue
c/o D. Lansink
66 Byron Avenue East
London ON N6C 1C7

2436069 Ontario Limited
504 English Street
London ON N5W 3T8

491 English Street
c/o Kapland Construction
599 Maitland Street
London ON N6B 2Z8

G. Hodder
Fugitive Slave Chapel Preservation Project
c/o Beth Emanuel British Methodist Episcopal Church
430 Grey Street
London ON N6b 1h2

200 Wharncliffe Road North
c/o 2435658 Ontario Inc.
455 St. James Street
London ON N5Y 3P2

S .Wise
Planner II

M. Knieriem
Planner II

I hereby certify that the Municipal Council, at its meeting held on March 27, 2018 resolved:

5.2 That the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage from its meeting held on March 14, 2018:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to erect a new building on the property located at 67 Euclid Avenue, within the Wortley Village – Old South Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:
 - i) the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit; and,

ii) the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from L. Dent, Heritage Planner and the handout appended to the 4th Report of the London Advisory Committee on Heritage from D. Lansink, were received with respect to this matter;

b) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 504 English Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:

i) the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;

ii) the property owner demonstrate, to the satisfaction of the Heritage Planner, that sufficient quantity and quality of brick may be salvaged from the existing building for reuse to clad the proposed building as shown in Appendix D;

iii) the property owner be requested to salvage any elements of the existing building that may be suitable for reuse;

iv) the property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,

v) the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter;

c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, BE PERMITTED as proposed in the drawings appended to the staff report dated March 14, 2018, subject to the following terms and conditions being met:

i) the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;

ii) the property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,

iii) the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the London Advisory Committee on Heritage requests that the City of London not use chain link fence along the north façade of the subject property;

it being further noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner was received with respect to this matter;

d) the Cultural Heritage Evaluation Report for the property located at 3544 Dingman Drive, dated March 2018, from AECOM, BE REFERRED to the Stewardship Sub-Committee to review the Statement of Cultural Heritage Value or Interest and report back to the London Advisory Committee on Heritage (LACH) with respect to this matter;

it being noted that the LACH recommends that the cultural heritage resource at 3544 Dingman Drive be designated and be incorporated into the future expansion of the Dingman Creek Pumping Station;

it being further noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from M. Greguol, AECOM was received;

e) the following actions be taken with respect to the Notice of application dated February 21, 2018, from S. Wise, Planner II, related to the application by Paramount Developments (London) Inc., with respect to the property located at 809 Dundas Street:

i) S. Wise, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research contained in the Heritage Impact Statement dated January 2018, prepared by Zelinka Priamo Ltd. for the adjacent property located at 795 Dundas Street; and,

ii) the LACH recommends that the property located at 432 Rectory Street BE ADDED to the Register (Inventory of Heritage Resources) for physical/design and historical/associative reasons;

f) M. Knieriem, Planner II, BE REQUESTED to attend the April meeting of the London Advisory Committee on Heritage to provide clarification with respect to the Notice of application dated March 7, 2018, related to an application by the City of London with respect to City-wide - Low-density residential zones (R1, R2, R3) within the Primary Transit Area;

g) the delegation request from G. Hodder related to the Fugitive Slave Chapel Preservation Project BE APPROVED for the April 2018 meeting of the London Advisory Committee on Heritage;

h) the following actions be taken with respect to the Stewardship Sub-Committee Report from its meeting held on February 28, 2018:

i) further cultural heritage work BE COMPLETED for the revised list of properties appended to the 4th Report of the London Advisory Committee on Heritage, including Cultural Heritage Evaluation Reports (CHER) and/or Heritage Impact Assessments (HIA), with respect to the Draft Cultural Heritage Screening Report – London Bus Rapid Transit System;

ii) the Terms of Reference for HIAs and CHERs BE PREPARED;

iii) the properties requiring further cultural heritage review that are not yet listed on the Register (Inventory of Heritage Resources) BE ADDED to the Register;

iv) further review BE UNDERTAKEN to identify specific properties that may be affected within the Downtown Heritage Conservation District, West Woodfield Heritage Conservation District and Blackfriars/Petersville Heritage Conservation District to identify where property-specific HIAs may be required; and,

v) the remainder of the Stewardship Sub-Committee report BE RECEIVED;

i) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to alter the porch of the building located at 200 Wharncliffe Road North, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED, subject to the following terms and conditions being met:

i) the Heritage Planner be circulated the applicant's Building Permit application drawings to verify compliance with the submitted design, prior to issuance of the Building Permit;

ii) all exposed wood be painted;

iii) square spindles, set between a top and bottom rail, be installed as the guard;

iv) the top rail of the guard be aligned with the height of the capstone of the cast concrete plinths; and,

v) the Heritage Alteration Permit be displayed at the subject property, in a location visible from the street, until the work is completed;

it being noted that the presentation appended to the 4th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter;

j) the following actions be taken with respect to the London Advisory Committee on Heritage (LACH) Work Plans:

i) the 2018 Work Plan for the LACH appended to the 4th Report of the LACH BE APPROVED; and,

ii) the 2017 LACH Work Plan appended to the 4th Report of the LACH BE RECEIVED; and,

k) clauses 1.1, 3.1 and 5.2 BE RECEIVED. (5.2/5/PEC)



C. Saunders
City Clerk
/lm

cc. J. M. Fleming, Managing Director, Planning and City Planner
J. Yanchula, Manager, Urban Regeneration
K. Gonyou, Heritage Planner
L. Dent, Heritage Planner
J. Bunn, Committee Secretary
Chair and Members, London Advisory Committee on Heritage



O-8879
Planner: Chuck Parker
Telephone: 519-661-2489 extension 4648
Fax: 519-661-5397
Email: cparker@london.ca
Website: www.london.ca

March 12, 2018

NOTICE OF APPLICATION TO AMEND THE OFFICIAL PLAN

The Municipal Council for the City of London is considering an amendment to the City's Official Plan for the lands shown on the map as attached. The requested change is described below. We are advising you of this application to invite your comments.

APPLICANT:

City of London

LOCATION:

Old East Village - see attached map

PURPOSE AND EFFECT:

The need for an Old East Village Dundas Street Corridor Secondary Plan was identified through discussions on the implementation of the Bus Rapid Transit System. The east-west bus rapid transit route is proposed to run eastward from the Downtown along King Street onto Ontario Street and then eastward along Dundas Street within the study area (see attached Map).

The purpose of the Secondary Plan is to establish a long term vision for the area and guide the future character of development through more specific policies than those contained in the Rapid Transit and Urban Corridors Section of the London Plan. The Secondary Plan can also be used to implement a vision or design concept, specifically, an urban design framework to connect the King Street rapid transit corridor and the Old East Village business district to the north. The Plan will provide a framework for the evaluation of future planning applications and public and private investment in the area.

POSSIBLE AMENDMENT:

Possible amendments to Sections 20.2 and 20.3 and Schedule D of the existing Official Plan and Policy 1565 and Map 7 of the London Plan to add the Old East Village Dundas Street Corridor Secondary Plan as a new Secondary Plan.

PLANNING POLICIES:

The lands have various designations in the Existing Official Plan. These include Main Street Commercial Corridor, Regional Facility, Community Facility, Office Residential, Multi-Family High Density Residential and Multi-Family Medium Density Residential (refer to the Official Plan for specific uses and policies).

The subject lands are in the Rapid Transit Corridor Place Type in *The London Plan* (Council-adopted June 13, 2016 and Ministry approved December 28, 2016). The London Plan designates lands on either side of this corridor as a Rapid Transit Corridor which envisions medium density, mid-rise, mixed use development.

HOW TO COMMENT:

Your opinion on this application is important. Please call in, mail, e-mail or fax your comments to The City of London Planning Services, P.O. Box 5035, London, ON, N6A 4L9, Attention Chuck Parker **by June 30, 2018**, if possible. There will also be community meetings, information sessions and further notifications as well as a part of the Secondary Plan preparation process. A webpage will be created on the City's website (www.london.ca) for the project which will include all relevant material related to the project.

Please Note: Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-2489 extension 4937. Please ensure you refer to the file number or municipal address of the item on which you are commenting.

If a person or public body does not make oral or written submissions at a public meeting or make written submissions to the City of London before the proposed amendment is adopted, the person or public body may not be entitled to appeal the decision of the Council of the City of London to the Ontario Municipal Board, or may not be added by the Board as a party to the hearing of an appeal unless, in the opinion of the Board, there are reasonable grounds to do so.

A neighbourhood or community association may exist in your area. If it reflects your views on this proposal, you may wish to select a representative of the association to submit comments on your behalf.

Your representatives on City Council, Ward 4 and 13 Councillors Jesse Helmer (Office -519 - 661-2489 Ext. 4004 or jhelmer@london.ca) and Tanya Park (Office-519-661-2489 Ext. 4013 or tpark@london.ca), respectively, would be pleased to discuss any concerns you may have with this application.

PUBLIC MEETING:

A Draft Terms of Reference will be presented to Planning and Environment Committee on April 3, 2018 to start the Secondary Plan process. The Plan process information will be provided on the City's website at www.london.ca.

The appropriateness of the Official Plan amendment will be considered at a future meeting of the Planning & Environment Committee. You will receive another notice inviting you to attend this meeting.

If a person or public body does not make oral or written submissions at a public meeting or make written submissions to the City of London before the proposed amendment is adopted, the person or public body may not be entitled to appeal the decision of the Council of the City of London to the Ontario Municipal Board, or may not be added by the Board as a party to the hearing of an appeal unless, in the opinion of the Board, there are reasonable grounds to do so.

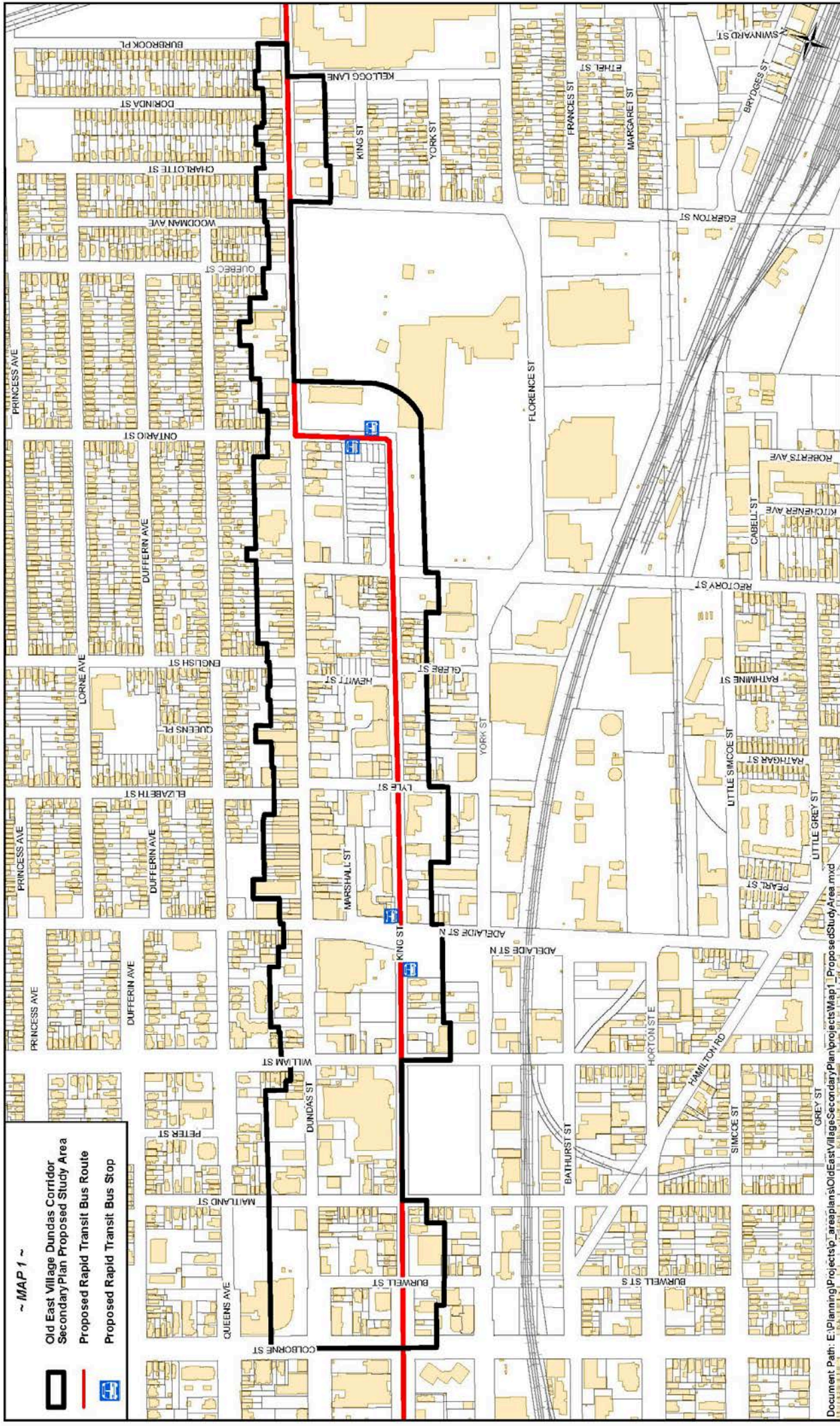
FOR INFORMATION:

If you wish to view additional information or material about the Official Plan amendment, it is available to the public for inspection at Planning Services, 206 Dundas St., London, ON, Monday to Friday, 8:30a.m.-4:30p.m.




For more information, please call Chuck Parker at 519-661-2489 extension 4648, referring to “O-8879”.

TO BE NOTIFIED:

If you wish to be notified of the adoption or refusal of an Official Plan amendment, you must make a written request to the City Clerk, 300 Dufferin Avenue, P.O. Box 5035, London, ON N6A 4L9. You will also be notified if you address the Planning & Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.



~ MAP 1 ~

-  Old East Village Dundas Corridor Secondary Plan Proposed Study Area
-  Proposed Rapid Transit Bus Route
-  Proposed Rapid Transit Bus Stop

**Ministry of Government and
Consumer Services**

**Ministère des Services
gouvernementaux et des Services aux
consommateurs**



ServiceOntario

ServiceOntario

Central Production and
Verification Services Branch

Direction des services centraux de
production et de vérification

20 Dundas St. West, 4th Floor
Toronto ON M5G 2C2

20 rue Dundas Ouest, 4^e étage
Toronto ON M5G 2C2

Telephone: (416) 314-4879
Facsimile: (416) 314-4899

Téléphone: (416) 314-4879
Télécopieur: (416) 314-4899

March 26, 2018

Mr. Bertrand Duclos, Heritage Outreach Consultant
Program Planning and Delivery Unit
c/o Culture Services Unit
Ministry of Tourism, Culture and Sport
401 Bay Street, Suite 1700
Toronto, ON M7A 0A7

Dear Mr. Duclos:

In reply to your recent request made on behalf of Municipal Heritage Committees and their assistants, permission is hereby granted to examine closed parcel registers, copies of documents originally registered in paper and copies of plans in the registry office in the Province of Ontario subject to the terms and conditions set out therein.

You represent and warrant that the above-named organization is a non-profit organization, and, the information obtained will be used only for research of a non-commercial historical nature.

Permission to investigate land registry office records does not include the supply of copies of records, for which, you must pay the requisite photocopy charge. Also, please be advised that a statutory fee is required to access current parcel registers and documents through the automated system.

Land registration documents and records you access may be subject to copyright, license and other rights and interests. You may not further use, reproduce, post, modify or distribute any records without first seeking the appropriate consents or licenses.

A search of the historical abstract index records must not be done during peak periods of operations. You should consult with the on-site Operations Manager who will identify those peak periods.

Solicitors and title searchers and other land professionals who must make a title search in order to complete a land transaction, must be given priority with respect to the records. Where title records being searched are required by such persons, those books must be given up upon request.

In order to limit the demands on the land registry office staff, the number of records to be viewed, copied or produced in one day may be limited at the discretion of the Operations Manager.

All individuals, using this Letter of Authority, must identify themselves to the Land Registry Office Operations Manager, present a copy of this letter and make known to the staff the particular project on which they are working. Use of this permission letter by you, any representatives or members of your organization is evidence of agreement to these terms by those persons.

Through a copy of this letter, I am advising the Operations Manager that I have approved your request as noted above. Please contact the Operations Manager in the land registry office to arrange convenient dates and times. This authorization will be in effect up to March 31, 2019 and is subject to revocation in the sole discretion of the Ministry.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Denis Blais', written in a cursive style.

Denis Blais
Director
Central Production and Verification Services Branch

Cc: Michelle Gittens, Director, Central Region, Retail Offices Branch
Louise Larocque, Director, North Region, Retail Offices Branch
Tara Meagher, Director, Southwest Region, Retail Offices Branch
Ann Gendron, Director (Acting), Southeast Region, Retail Offices Branch

NOTICE OF PROJECT COMMENCEMENT

THE STUDY

The Upper Thames River Conservation Authority (UTRCA) and the City of London have initiated a Schedule B Municipal Class Environmental Assessment (EA) Study through its consultant AECOM. The focus of the study is to review alternatives to manage the long-term stability of the Broughdale dyke (see map). The alternatives include regular maintenance, erosion protection, reconstruction of the dyke, increasing the height of the dyke, and extending the dyke upstream.

THE PROCESS

The Class EA Study process will define the problems and opportunities; consider and evaluate alternatives, assess impacts of the preferred solution and identify a preferred strategy for managing the Broughdale dyke that can be implemented over time.

HOW TO GET INVOLVED

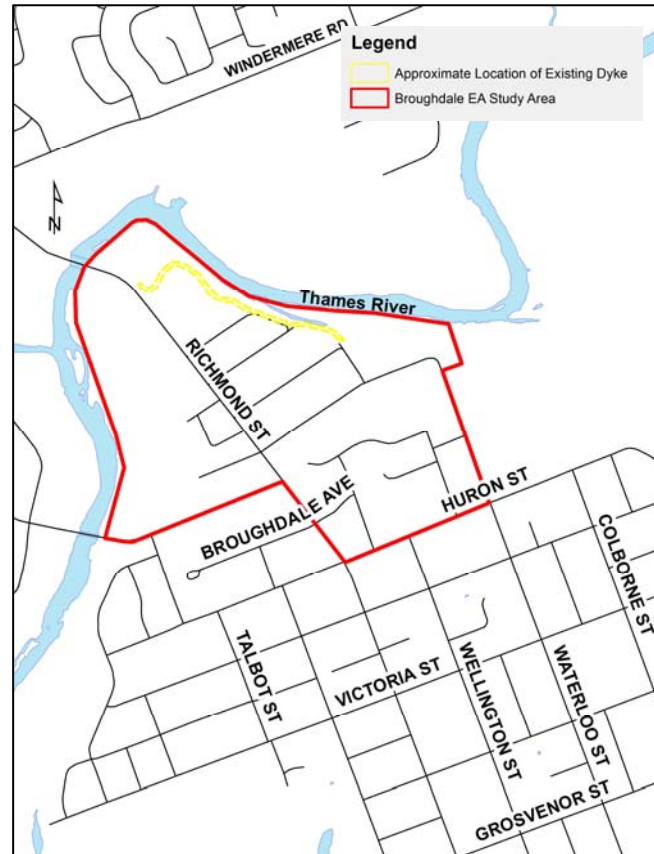
The UTRCA and City of London want anyone with an interest in the study to have an opportunity to provide input, which will help the project team in the decision-making process. A Public Information Centre (PIC) is planned for the Spring of 2018 to present study background information including issues being addressed and recommended solutions and strategies. Prior to the PIC a **Community Site Walk** will be held to allow local residents/property owners an opportunity to understand the current problems in the study area and potential solutions. The Site Walk is tentatively scheduled for the Spring of 2018. More information will be provided to those who register. To register for the Site Walk, please contact Paul Adams at paul.adams2@aecom.com or 519-963-5873. Advance notification of the PIC will be advertised in The Londoner newspaper and mailed to home owners within the study area. Comments from review agencies and members of the public are encouraged now and throughout the study. To submit a comment, request information or to be added to the study mailing list you can contact:

Adam Spargo, B.Sc.

Project Manager
AECOM Canada
250 York Street, Suite 410
London ON, N6A 6K2
Phone: 519 963-5921
Email: adam.spargo@aecom.com

Paul Adams, CPT

Environmental Planner
AECOM Canada
250 York Street, Suite 410
London ON, N6A 6K2
Fax: 519 963-5873
Email: Paul.adams2@aecom.com



Under the Freedom of Information and Protection of Privacy Act and the Environmental Assessment Act, unless otherwise stated in the submission, any personal information such as name, address, telephone number and property location included in a submission will become part of the public record files for this matter and may be released, if requested, to any person.

NOTICE OF PROJECT COMMENCEMENT

THE STUDY

The Upper Thames River Conservation Authority (UTRCA) and the City of London have initiated a Schedule B Municipal Class Environmental Assessment (EA) Study through its consultant AECOM. The focus of the study is to review alternatives to manage the long-term stability of the Riverview Evergreen dyke (see map). The alternatives include regular maintenance, erosion protection, reconstruction of the dyke, increasing the height of the dyke, extending the dyke upstream or long-term property acquisition followed by decommissioning.

THE PROCESS

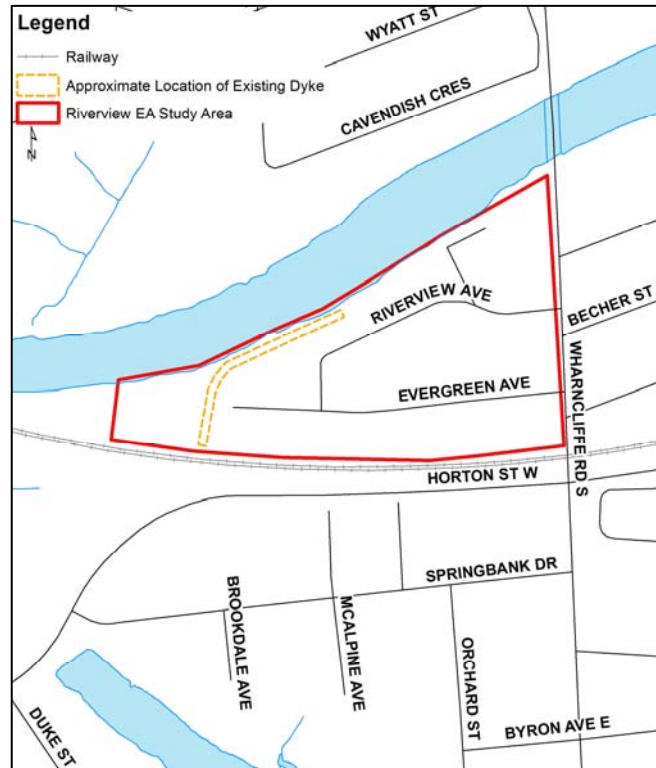
The Class EA Study process will define the problems and opportunities; consider and evaluate alternatives, assess impacts of the preferred solution and identify a preferred strategy for managing the Riverview Evergreen dyke that can be implemented over time.

HOW TO GET INVOLVED

The UTRCA and City of London want anyone with an interest in the study to have an opportunity to provide input, which will help the project team in the decision-making process. A Public Information Centre (PIC) is planned for the Spring of 2018 to present study background information including issues being addressed and recommended solutions and strategies. Prior to the PIC a **Community Site Walk** will be held to allow local residents/property owners an opportunity to understand the current problems in the study area and potential solutions. The Site Walk is tentatively scheduled for the Spring of 2018. More information will be provided to those who register. To register for the Site Walk, please contact Paul Adams at paul.adams2@aecom.com or 519-963-5873. Advance notification of the PIC will be advertised in The Londoner newspaper and mailed to home owners within the study area. Comments from review agencies and members of the public are encouraged now and throughout the study. To submit a comment, request information or to be added to the study mailing list you can contact:

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LACH Stewardship Sub-Committee

Agenda

Wednesday March 28, 2018

Location: Planning Office, 206 Dundas Street

Start Time: 6:30pm – 8:00pm

Present: M. Whalley, J. Hunten; L. Dent, K. Gonyou (staff)

Regrets: J. Cushing; T. Regnier

Agenda Items:

1. Land Registry Office Waiver Letter for Municipal Heritage Committees

The Stewardship Sub-Committee members received the waiver letter for research at the Land Registry Offices.

2. Demolition Request: 660 Sunningdale Road East

The Stewardship Sub-Committee received a verbal update from K. Gonyou on the demolition request for 660 Sunningdale Road East.

Motion: The Stewardship Sub-Committee recommends that the demolition request for the two remaining barns at 660 Sunningdale Road East be refused. Moved: M. Whalley; seconded: J. Hunten. Passed.

3. Heritage Place 2.0

L. Dent provided a verbal update on *Heritage Places 2.0*. An engagement process is planned for April-May 2018.

4. Referred to Stewardship Sub-Committee (from the LACH on 2018-01-10): Western University Public History Program research properties

The Stewardship Sub-Committee reviewed the list of properties that have been researched by the Western University Public History Program. The Stewardship Sub-Committee identified several properties that are not presently listed on the Register (*Inventory of Heritage Resources*), but merit such a listing. The Stewardship Sub-Committee agreed to add 10 Henry Street to its list of properties for further research.

Motion: The Stewardship Sub-Committee recommends that the following properties be listed on the Register (*Inventory of Heritage Resources*), based on the research and evaluation undertaken by the Western University Public History Program research:

- a) 306 Simcoe Street
- b) 397 Wortley Road
- c) 399 Wortley Road

Moved: J. Hunten; seconded: M. Whalley. Passed.

Report to London Advisory Committee on Heritage

To: Chair and Members
London Advisory Committee on Heritage
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Demolition Request of Heritage Designated Property at 660
Sunningdale Road East By: Peter Sergautis
Meeting on: Wednesday April 11, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the request for the demolition of the heritage designated property located at 660 Sunningdale Road East **BE REFUSED**.

Executive Summary

Summary of Request

The property owner has requested consent of Municipal Council to demolish the remaining two red clay tile barns located at 660 Sunningdale Road East.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to refuse the demolition request. The effect of the recommended action is retain the two red clay tile barns located at 660 Sunningdale Road East, which are significant cultural heritage resources.

Rationale of Recommended Action

No new information was submitted which affects the evaluation of the property undertaken in July 2017 which recommended designation of the property pursuant to Section 29 of the *Ontario Heritage Act*. Despite ongoing resolution discussions between staff and the Applicant, once a demolition request has been received, the *Ontario Heritage Act* does not provide any mechanism to withdraw a request. Even if a settlement were achieved whereby the Applicant's intent was to abandon the demolition request, Municipal Council would still have to either consent or reject the request, or the *Ontario Heritage Act* deems the request to be consented. Therefore, this demolition request should be refused.

Analysis

1.0 Background

1.1 Property Location

The property at 660 Sunningdale Road East is on the northwest corner of Sunningdale Road East and Adelaide Street North (Appendix A). The property is located at the northern boundary of the City of London and abuts the Municipality of Middlesex Centre. The property is part of the former London Township that was annexed by the City of London in 1993.

1.2 Cultural Heritage Status

The property has been included on the *Inventory of Heritage Resources* since 1997. The *Inventory of Heritage Resources* was adopted as the Register pursuant to Section 27 of the *Ontario Heritage Act* in 2007. 660 Sunningdale Road East is identified as a Priority 2 resource and is considered to have potential cultural heritage value or interest.

On August 24, 2017, Municipal Council published its Notice of Intent to Designate the

property to be of cultural heritage value in *The Londoner*. The Notice of Intent to Designate was subsequently appealed to the Conservation Review Board (CRB) by the property owner. Pursuant to Section 30(1) of the *Ontario Heritage Act*, the property is treated as if it were designated until the appeal is resolved.

1.3 Previous Reports

March 2, 1999. Municipal Council resolved that the lands be excluded from the Uplands Community Plan and be added to the Stoney Creek Community Plan be refused.

May 12, 1999. 6th Report of the LACH, Report of the Stewardship Sub-Committee of the LACH, re: discussion of 660 Sunningdale barns.

January 30, 2002. Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

February 27, 2002. Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

June 12, 2002. Monthly Report of the Heritage Planner to LACH Members, re: 660 Sunningdale Road East.

April 30, 2003. Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

May 7, 2003. Memorandum from the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

June 9, 2003. Report to the Planning Committee recommending adoption of the Uplands North Area Plan.

August 7, 2007. Report to Planning Committee regarding 660 Sunningdale Road East (39T-99513/Z-5723).

March 11, 2009. 4th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

May 6, 2009. Report to the Planning Committee regarding tree cutting on the property.

June 22, 2009. Report to the Planning Committee regarding the status of the subdivision/file.

October 10, 2010. 3rd Report of the LACH. Re: Notice, 660 Sunningdale Road East.

October 8, 2013. Report to the PEC. 39T-09501/OZ-7683.

March 12, 2014. 4th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

April 9, 2014. 5th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

July 28, 2014. Report to the PEC. 39T-09501/OZ-7638.

July 12, 2017. Report to the LACH. Request for Demolition of Heritage Listed Property at 660 Sunningdale Road East by: Peter Sergautis.

July 17, 2017. Report to the PEC. Request for Demolition of Heritage Listed Property at 660 Sunningdale Road East by: Peter Sergautis.

January 22, 2018. Report to the PEC: Application by Extra Realty Limited, 660 Sunningdale Road East, Applewood Subdivision, Public Participation Meeting.

2.0 Legislative/Policy Framework

2.1 Provincial Policy Statement

Section 2.6.1 of the *Provincial Policy Statement* (2014) directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.” “Significant” is defined in the *Provincial Policy Statement* (2014) as, in regards to cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, and event, or a people.”

2.2 Ontario Heritage Act

Section 29 of the *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29 of the *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Appeals to the Notice of Intent to Designate a property pursuant to Section 29 of the *Ontario Heritage Act* are referred to the Conservation Review Board (CRB).

Interim protection is afforded to properties that are subject to a Notice of Intent to Designate, but which designations have been appealed to the CRB. Section 30(2) of the *Ontario Heritage Act* states:

Sections 33 and 34 apply with necessary modifications to property as of the day notice of intent to designate the property is given under subsection 29 (3) as though the designation process were complete and the property had been designated under section 29. 2005, c. 6, s. 18.

Therefore the provisions of the *Ontario Heritage Act* that protect properties designated under Section 29 of the *Ontario Heritage Act* also apply to those properties subject to a Notice of Intent to Designate. This requires Heritage Alteration Permit approval for alterations that are “likely to affect the property’s heritage attributes” of the property (pursuant to Section 33 of the *Ontario Heritage Act*), as well as the provisions under Section 34 of the *Ontario Heritage Act* regarding demolition requests for heritage designated properties.

Pursuant to Section 34(1) of the *Ontario Heritage Act*,

No owner of property designated under Section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal. 2002, c. 18, Sched. F, s. 2 (18); 2005, c. 6, s. 22 (1).

Municipal Council has 90-days to respond to a demolition request for a heritage designated property (Section 34(2), *Ontario Heritage Act*). Within those 90-days, and following consultation with its municipal heritage committee, Municipal Council may:

- i) Consent to the demolition application;
- ii) Consent to the demolition application, subject to terms and conditions as may be specified; or
- iii) Refuse the application.

Notice to the property owner and Ontario Heritage Trust is required, and the municipality is required to publish its decision in a newspaper.

Should Municipal Council not respond within the legislated 90-day timeline, the application is deemed to have been consent (Section 34(4), *Ontario Heritage Act*). The refusal or terms and conditions attached to a consent may be appealed to the Ontario Municipal Board (OMB). The OMB was replaced by the Local Planning Appeals Tribunal (LPAT) on April 3, 2018.

2.3 Official Plan/The London Plan

Chapter 13 (Heritage of the City of London’s *Official Plan* (1989, as amended) recognizes that properties of cultural heritage value or interest:

Provide physical and cultural links to the original settlement of the area and to specific periods or events in the development of the City. These properties, both individually and collectively, contribute in a very significant way to the identity of the City. They also assist in instilling civic pride, benefitting the local economy by attracting visitors to the City, and favourably influencing the decisions of those contemplating new investment or residence in the City.

The objectives of Chapter 13 (Heritage) support the conservation of heritage resources, including encouraging new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources (Policy 13.1.iii). This direction is also supported by the policies of *The London Plan* (adopted 2016); *The London Plan* has greater consideration for potential cultural heritage resources that are listed, but not designated under the *Ontario Heritage Act*, through planning processes.

3.0 Demolition Request

3.1 Previous Demolition Request

Action to demolish the largest of the three barns at 660 Sunningdale Road East commenced in early May 2017. A complaint from the community made the City aware of the demolition activities at the property. A letter advising the property owner of their obligations of Section 27(3) of the *Ontario Heritage Act*, to provide Municipal Council 60 days' notice of the property owner's intention to demolish the building or structure on the heritage listed property, was sent to the property owner on May 11, 2017. Demolition activities subsequently ceased, but a substantial portion of Barn 1 has already been removed. A demolition permit is not required to demolish a barn under the *Ontario Building Code Act*; however, this does not change the obligations of property owners regarding Section 27(3) of the *Ontario Heritage Act* for heritage listed properties.

Following a meeting with the property owner, a request for the demolition of the (then) heritage listed property was received on June 9, 2017. The London Advisory Committee on Heritage (LACH) was consulted at its meeting on July 12, 2017, and a public participation meeting was held at the Planning & Environment Committee meeting on July 17, 2017. At its meeting on July 25, 2017, Municipal Council resolved to issue its Notice of Intent to Designate the property to be of cultural heritage value or interest for the two red clay tile barns pursuant to Section 29(3) of the *Ontario Heritage Act*. Notice was served on the property owner and Ontario Heritage Trust, and published in *The Londoner* on August 24, 2017. The property owner appealed the Notice of Intent to Designate the property at 660 Sunningdale Road East to the Conservation Review Board (CRB) on August 31, 2017.

The largest red clay tile barn has been subsequently demolished.

3.2 Demolition Request

As the property at 660 Sunningdale Road East is treated as if it were designated (per Section 30(1) of the *Ontario Heritage Act*), consent from Municipal Council is required to demolish a building or structure on the property.

Through their solicitor, the property owner submitted a demolition request for the remaining two red clay tile barns at 660 Sunningdale Road East on February 14, 2018. Municipal Council must respond to this current demolition request within 90-days or the demolition request is deemed consented. The 90-day timeline will expire on May 15, 2018.

4.0 Analysis

4.1 Appeal to the Conservation Review Board

The property owner appealed Municipal Council's Notice of Intent to Designate the property to the Conservation Review Board. Both the City and the property owner have made efforts to resolve the appeal. A proposed settlement will be considered by the

Planning & Environment Committee at its meeting on April 16, 2018 and Municipal Council at its meeting on April 24, 2018.

4.2 Demolition Request

The *Ontario Heritage Act* does not articulate a process by which a demolition request pursuant to Section 34 of the *Ontario Heritage Act* may be withdrawn. Therefore, it is essential that the normal processes be followed to ensure that there are no grounds which could result in the loss of the two red clay tile barns. Even if a settlement were achieved whereby the Applicant's intent was to abandon the demolition request, Municipal Council would still have to either consent or reject the request, or the *Ontario Heritage Act* deems the request to be consented.

No new information was presented as part of the demolition request that could affect the evaluation of the property's cultural heritage value or interest as articulated in the July 2017 staff reports to the LACH and to the PEC, which were used by Municipal Council to issue their Notice of Intent to Desigate. The two remaining red clay tile barns are significant cultural heritage resources that have met the mandated criteria for designation per O. Reg. 9/06. The demolition request for the two remaining red clay tile barns should be refused.

4.3 Heritage Community Improvement Plan

The Heritage Community Improvement Plan (Heritage CIP) offers two grant programs to address some of the financial impacts of heritage conservation by offering incentives that promote building rehabilitation in conjunction with new development. The Tax Increment Grant provides the registered owner a refund on the increase in the municipal portion of the property tax ensuing from a reassessment as a result of a development or rehabilitation project related to an intensification or change of use which incorporates a designated heritage property. The second incentive is a Development Charges Equivalent Grant which is issued when a designated heritage property is preserved and rehabilitated in conjunction with a development project relating to an intensification or change of use.

A property must be designated under the *Ontario Heritage Act* to be able to access the grant programs of the Heritage CIP. Both the Development Charges Equivalent Grant and Tax Increment Grant could be leveraged to assist with heritage conservation work for the two red clay tile barns at 660 Sunningdale Road East, once designated. These programs are only applicable to the two red clay tile barns and the real property on which they are located.

5.0 Conclusion

The cultural heritage evaluation of 660 Sunningdale Road East, completed in July 2017, found the two (remaining) red clay tile barns met the criteria for designation under the *Ontario Heritage Act*. As Municipal Council's Notice of Intent to Designate the property was appealed to the Conservation Review Board, the property is treated as if it were designated until the appeal is resolved. No new information was submitted which affects the evaluation of the cultural heritage value or interest of the barns, and therefore this demolition request should be refused.

This report was prepared with the assistance of A. Anderson, Solicitor.

Prepared by:	Kyle Gonyou, CAHP Heritage Planner
Submitted by:	Gregg Barrett AICP Manager, Long Range Planning and Research
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

April 4, 2018
KG/

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Appendix A – Maps

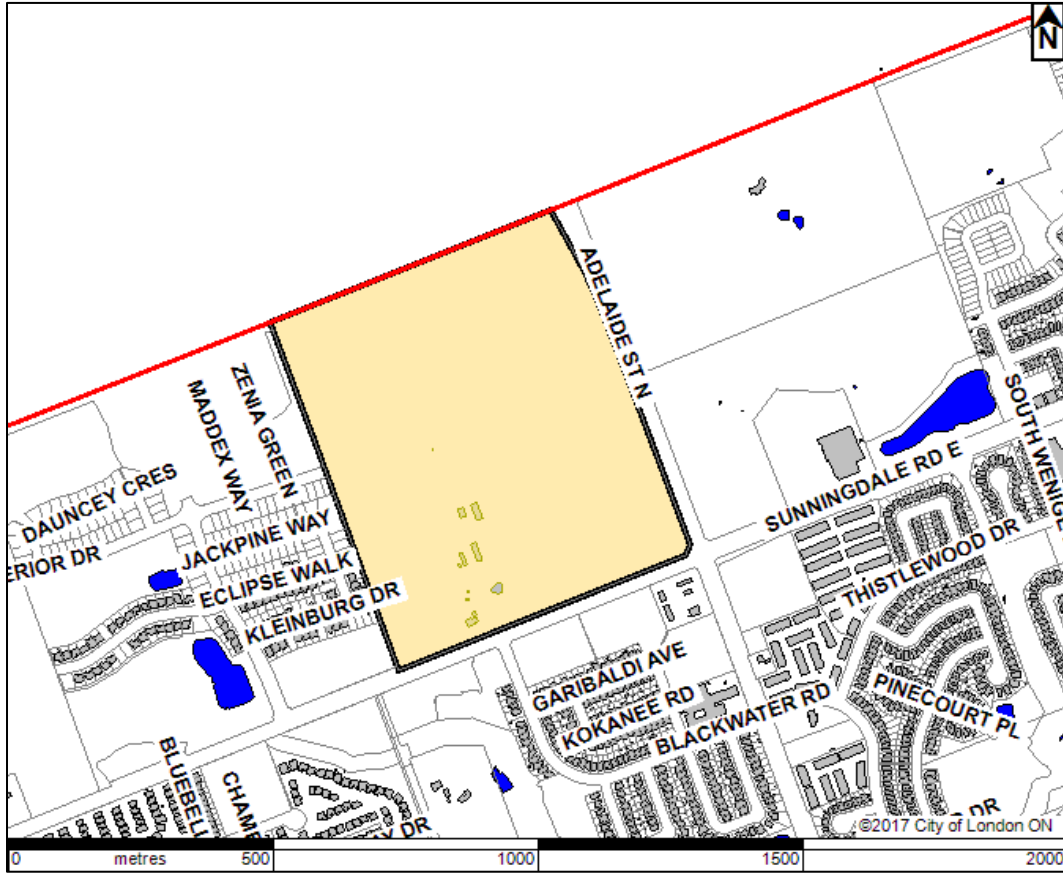


Figure 1: Property location of 660 Sunningdale Road East.



Figure 2: Detail of the property located at 660 Sunningdale Road East identifying Barn 1, Barn 2, and Barn 3. Note: Barn 1 has been demolished.

Appendix B – Images



Image 1: View of Barn 2 located at 660 Sunningdale Road East looking northeast. Barn 2 has three ventilators along the ridge of its roof.



Image 2: View of Barn 3 located at 660 Sunningdale Road East looking southwest. Barn 3 has two ventilators along the ridge of its roof.



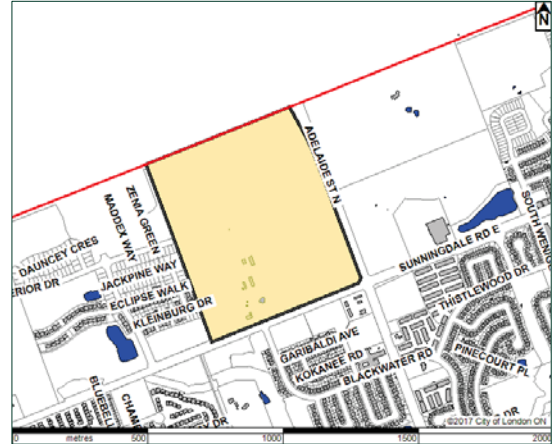
Request for Demolition Heritage Designated* Property 660 Sunningdale Road East

London Advisory Committee on Heritage
Wednesday April 11, 2018

london.ca



Property Location



Barns at 660 Sunningdale Road East



Barn 1



Barn 2



Barn 3





London
CANADA

Chronology

- May 2017: demolition activities commence
- June 9, 2017: Demolition Request for all barns
- July 12, 2017: LACH consultation on demolition request
- July 17, 2017: PPM at PEC
- July 25, 2017: Municipal Council resolves to issue Notice of Intent to Designate the property
- August 24, 2017: Notice of Intent to Designate the property (Barn 2 and Barn 3)
- August 31, 2017: Demolition Request for Barn 1
- September 22, 2017: Notice of Intent to Designate the property is appealed to the CRB
- January 23, 2018: Pre-Hearing Conference at CRB
- March 13, 2018: Pre-Hearing Settlement Conference at CRB
- February 14, 2018: Demolition Request for Barn 2 and Barn 3 (90-day timeline: May 15, 2018)



London
CANADA

Analysis

- Property evaluated – O. Reg. 9/06
- Barn 2 and Barn 3 were included recommended for designation in July 2017
 - Barn 1 was not included
- No new information
- Proposed Settlement – PEC April 16, 2018, Municipal Council April 24, 2018
- Heritage CIP



London
CANADA

Legislative Framework

Ontario Heritage Act

- Section 29: designation of individual property
- Section 30(2):
 - *Sections 33 and 34 apply with necessary modifications to property as of the day notice of intent to designate the property is given under subsection 29 (3) as though the designation process were complete and the property had been designated under section 29. 2005, c. 6, s. 18.*
- Section 34: demolition of individually designated property
 - No mechanism to withdraw a demolition request



London
CANADA

Staff Recommendation

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the request for the demolition of the heritage designated property located at 660 Sunningdale Road East **BE REFUSED.**



Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge
1017 Western Road
London, ON N6G 1G5

Sunday, April 8, 2018

Members of the Planning and Environment Committee:

Stephen Turner (Chair) – sturner@london.ca
Maureen Cassidy – mcassidy@london.ca
Jesse Helmer – jhelmer@london.ca
Anna Hopkins – ahopkins@london.ca
Tanya Park – tpark@london.ca

Members of the London Advisory Committee on Heritage (LACH)
through the LACH Committee Secretary

**Re: REQUEST FOR DEMOLITION OF BARNES
LOCATED AT 660 SUNNINGDALE ROAD EAST**

Dear Councillors and Members of LACH,

The London Region Branch of Architectural Conservancy Ontario (ACO) wishes to state its views on the application to demolish three red clay barns situated on the property at 660 Sunningdale Road East. We recommend denying the demolition request of the two remaining barns.

Our reasons to oppose the proposed demolition are as follows:

- These two remaining barns are listed as Priority 2 in the City of London Inventory of Heritage Resources. According to information provided to us, the Stage 1 Archaeological and Built Heritage Assessment Uplands Area Plan, prepared in 2002, recommended that the barns be elevated to Priority 1 status. Although this did not occur, the recommendation serves as a reminder of the importance of these structures. We do not know why the change in classification was not implemented.
- The Stewardship sub-committee of the London Advisory Committee on Heritage (LACH) recommended in late June 2017 that the barns be designated under the Ontario Heritage Act. We ask that PEC review and consider that recommendation prior to making its decision.
- According to the Heritage Inventory, the three barns were built circa 1925. They are built of hollow clay tile, a common building material for barns and silos at that time. It is our understanding that few such barns remain in Ontario. The barns in question are therefore rare representations of this early 20th century building technique. They are significant for that reason.

According to the March 30, 2017 edition of the Norwich Gazette, this is how clay tiles were manufactured:

“The clay was fed into a crusher which removed the rocks from the clay and worked it into a putty form. Water was added to achieve the right consistency. Then the clay was fed into an extruder pipe which forced the clay into the proper mold and an automatic cutter cut the tile into measured lengths. The tiles were put into sheds to dry for a week to 10 days. Then they were moved into kilns to burn at 1,840 degrees Fahrenheit for four days. It took an additional three days to cool the tiles, then they were stacked in the yard. The kilns were originally run by burning wood, then by burning coal.”

With regards to the city’s role in the ongoing stewardship of these barns, we note the following:

- The recommendation of city staff in advance of a July 22, 2014 PEC public participation meeting on the rezoning of 660 Sunningdale Road East noted the existence of the barns, and stated (incorrectly, we believe) that the above-mentioned Uplands Area Plan had recommended that the barns be listed as Priority 2. The 2014 staff recommendation notes the potential future demolition of the barns, but there is no recommendation that input (from the Heritage Planner and/or from LACH) be sought regarding the significance of the structures. Were city policies followed in this regard? It would have been preferable, in our opinion, for discussions regarding the value of these barns to have occurred at the time of the 2014 rezoning request.
- The largest of the three barns has already been completely demolished, without a demolition permit having been obtained prior to beginning work. It is unfortunate that such actions appear to carry no meaningful repercussions.

We recommend that the two remaining barns be designated under the Ontario Heritage Act so that they can be preserved.

We further recommend that the PEC and City Council direct city staff to write to the property owner to publicly express the city’s disappointment and disapproval of the property owner’s failure to preserve and protect the heritage resources under its control.

It is reasonable to question the practicality of preserving historic agricultural structures situated on the fringes of a growing city. A brief prepared by the Technical Preservation Services, National Park Service, U.S. Department of the interior (<https://www.nps.gov/tps/how-to-preserve/briefs/20-barns.htm>) addresses this issue. From that document (our emphasis):

“Unfortunately, historic barns are threatened by many factors. On farmland near cities, barns are often seen only in decay, as land is removed from active agricultural use. In some regions, barns are dismantled for lumber, their beams sold for reuse in living rooms. Barn raisings have given way to barn razings. Further threats to historic barns and other farm structures are posed by changes in farm technology, involving much larger machines and production facilities, and changes in the overall farm economy, including increasing farm size and declining rural populations.

Yet historic barns can be refitted for continued use in agriculture, often at great savings over the cost of new buildings. This Brief encourages the preservation of historic barns and other agricultural structures by encouraging their maintenance and use as agricultural buildings, and by advancing their sensitive rehabilitation for new uses when their historic use is no longer feasible.”

Where there's a will, there's a way. Under the London Plan, we are supposed to grow "up not out". The proposed subdivision is inconsistent with this vision. At the very least, why not require the developer to include the barns as a centerpiece of the development? There are a number of potential commercial, institutional, or residential uses for these historic structures.

According to the Autumn 2002 Heritage Ottawa newsletter (https://heritageottawa.org/sites/default/files/newsletter-pdfs/HerOttNews_2002_09.pdf), "old barns are seldom used for their original purposes. But, they were often built so sturdy, having a grace that is not often found in today's utilitarian agricultural structures, that they are being put to new uses. Some have been renovated into homes, often leaving the inner framing timbers visible to provide architectural interest. In the Ottawa Valley, a number of old barns have been turned into artist's studios, providing the high open spaces artists often require. And at least one in this region has been turned into a museum."

Inspiration for the potential adaptive reuse of the Sunningdale Road barns can be derived from the City of Oshawa's Fire Station 6, which was constructed in 2016. It was built on former farmland (Windfields Farm, the birthplace of Northern Dancer). Although the barn-like structure is new, it is conceivable that a historic barn could have been incorporated into the new fire station had one been available.



City of Oshawa Fire Station 6

Across the United States, there are many examples of historic barns that have been adapted to new uses. Round barns, considerably less practical than the rectangular barns on Sunningdale Road, have been converted to conference and banquet facilities. Examples of this can be found in Champaign, Illinois (Round Barn Banquet Center) and in Waitsfield, Vermont (Inn at Round Barn Farm).



Wedding/conference facility – Inn at Round Barn Farm, Waitsfield Vermont

The rectangular shape of the barns on Sunningdale Road make them amenable to more traditional retail conversion (stores, restaurants, etc.).

In the United Kingdom, old barns have been converted to homes – a trendy alternative to more traditional residential structures. The size and shape of the two smaller barns make this an attractive option. Examples of such residential conversions can be viewed at <http://www.homedit.com/11-amazing-old-barns-turned-into-beautiful-homes/>.

These are just a few examples of how these barns might be put to good use for the next 100 years. We respectfully ask the PEC and city staff to:

- Refuse the demolition application;
- Expedite the heritage designation process; and
- Make further approval related to this property conditional on integrating the barns into the proposed development.

Sincerely,

Mike Bloxam
President, London Region Branch
Architectural Conservancy Ontario

CC:

Cathy Saunders, City Clerk – csaunders@london.ca
 Kyle Gonyou, Heritage Planner – kgonyou@london.ca
 Jerri Bunn, LACH Committee Secretary – jbunn@london.ca
 Heather Lysynski, PEC Committee Secretary – hlysynsk@london.ca

Heritage Planners' Report to LACH: April 11, 2018

1. Heritage Alteration Permits processed under Delegated Authority By-law:
 - a. 253 St. James Street (Bishop Hellmuth HCD): rear addition
 - b. 431 Richmond Street (Downtown HCD): signage
 - c. 309-311 Wolfe Street (West Woodfield HCD): slate roof replacement
 - d. 151 Dundas Street (Downtown HCD): signage
 - e. 203-205 Dundas Street (Downtown HCD): signage
 - f. 577 Maitland Street (West Woodfield HCD): windows and porch beam
2. Allocation Committee for the London Endowment for Heritage – Thursday April 26, 2018 at 12:00 noon, London Community Foundation offices (Mezzanine Level, Covent Garden Market, 130 King Street)
3. Thames Valley Regional Heritage Fair – Thursday April 26, 2018 at 9:30-3:30, Fanshawe Pioneer Village (2609 Fanshawe Park Road East). More information: www.ohhfa.ca/-_Thames_Valley.php
4. Notice of Public Meeting – Archaeological Management Plan (2017) (OZ-8771) – PEC on Monday April 30, 2018 not before 4:00pm

Upcoming Heritage Events

- Ontario Heritage Conference – June 7-9, 2018 in Sault Ste. Marie. More information: www.ontarioheritageconference.ca/program
- Eldon House – <http://www.eldonhouse.ca/events/>
 - April 15, 2018 at 2:00pm – Breaking Barriers in Medicine: Doctors Emily Stowe, Jenny Trout, Augusta Stowe, and Elizabeth Bagshaw
- Terrific Tales of London & Area, 2:00pm on Tuesdays at the Central Library (251 Dundas Street):
 - April 17: Arthur McClelland, Storeybook Gardens (1958-2018)
 - April 24: Mike Baker, The Scots of Elgin County
 - May 1: Herman Goodden, Greg Curnoe & Jack Chambers



**Notice of Public Information Centre 3
Adelaide Street North / Canadian Pacific Railway Grade Separation
Municipal Class Environmental Assessment Study**



The City of London has retained WSP to complete a Municipal Class Environmental Assessment (EA) study for improvements to the Canadian Pacific Railway (CPR) crossing of Adelaide Street North. This project is being carried out under the planning and design process for a Schedule 'C' project as outlined in the Municipal Engineers Association *Municipal Class Environmental Assessment* (October 2000, as amended in 2015).

Proponent: City of London

Location: Adelaide Street North between Oxford Street East and Queens Avenue, including the CPR crossing

Purpose of the Study: The Transportation Development Charges Study (2014) and the London Transportation Master Plan (TMP, 2013) identified the need for a grade separation at the CPR crossing of Adelaide Street North. Currently, trains block the crossing up to 43 times throughout the day, leading to road blockages of up to 126 minutes per day.

Through this Class EA study, the City has considered a range of planning and design alternatives for the grade separation including underpass (rail over road) and overpass (road over rail) and has developed a preliminary design concept that recognizes all users including pedestrians, cyclists, rail, transit vehicles and motorists, and the community setting.

Public Information Centre 3: Three Public Information Centres (PICs) are held during this study. The first PIC was held on June 16, 2016 to review the study scope, existing conditions, need and justification and planning alternatives. PIC 2 was held December 14, 2016 to describe the multi-step design process, review the various design alternatives and obtain public input with respect to urban design components. Since PIC 2 there has been additional technical investigation and review with respect to the design at the CPR crossing.

The purpose to PIC 3 is to present the Preliminary Preferred Design concept that takes into consideration the transportation and technical factors, property impacts, community interests, cultural heritage resources, CPR and public input.

Public Information Centre 3 Details	
Date:	April 26, 2018
Place:	H.B. Beal Secondary School 525 Dundas Street, London ON
Time:	4:00 pm to 7:00 pm (drop-in)

How to Provide Input: Public consultation is a vital component of this study. Learn more about this study on the City's website at <https://getinvolved.london.ca/adelaide-streetcpr-grade-separation>

Please share your thoughts through the study website or by contacting the project team members listed below. Comments will be considered throughout the planning process.

Please note: Information will be collected in accordance with the Municipal Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record and may be published in the Reports to Committees and Council Agenda.

For More Information Please Contact:

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Consultant Contact:
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**ADELAIDE STREET NORTH / CANADIAN PACIFIC RAILWAY GRADE SEPARATION
MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT
STUDY AREA KEY MAP**

