

Report to Community Advisory Committee on Planning

To: Chair and Members
Planning and Environment Committee
From: Kyle Gonyou, RPP, MCIP, CAHP
Manager, Heritage and Urban Design
Subject: 2023 Annual Heritage Report
Date: February 14, 2024

Recommendation

That this report be received for information.

Executive Summary

The purpose of this report is to provide the Community Advisory Committee on Planning with information regarding activities in 2023 on the heritage planning program, including information regarding archaeology, the Register of Cultural Heritage Resources, heritage property designations, Heritage Alteration Permits, demolition requests, and municipally owned heritage properties.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Annual Heritage Reports have been prepared since 2015 and submitted to the London Advisory Committee on Heritage/Community Advisory Committee on Planning:

- Memo to Community Advisory Committee on Planning, 2022 Heritage Planning Program: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=96964>
- Memo to London Advisory Committee on Heritage, 2021 Heritage Planning Program: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=89707>
- Memo to London Advisory Committee on Heritage, 2020 Heritage Planning Program: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=82837>

2.0 Discussion and Considerations

2.1 Legislative Changes

Amendments to the *Ontario Heritage Act* in Bill 23, *More Homes Built Faster Act*, were proclaimed on January 1, 2023. These amendments included, but are not limited to:

- Requiring a property to meet two or more of the prescribed criteria of O. Reg. 9/06 to merit designation under the *Ontario Heritage Act*
- Prescribing the evaluation criteria for the designation of a Heritage Conservation District
- Limiting the designation of a property under Section 29, *Ontario Heritage Act*, during a “prescribed event” to those listed on a municipal register
- Limiting the inclusion of a property on a municipal register to only two-years, followed by a five-year prohibition on re-listing a property

During 2023, staff have worked to implement the new legislative framework. For example, there were four (4) planning applications that were “Prescribed Events” under the new legislative framework. This required consideration of the potential cultural heritage value of a resource on those properties within the first 90-days of the planning application, resulting in staff recommendations to designate two of those properties; one property was ultimately designated under the *Ontario Heritage Act*.

Proposed amendments to the *Ontario Heritage Act* in Bill 139, *Less Red Tape, More Common Sense Act*, which would affect heritage designated places of worship was not proclaimed in 2023.

Staff will continue to monitor the status of the amendments for modifications to the City's Register of Cultural Heritage Resources or other processes, as applicable.

2.2 Archaeology

In 2023, 111 archaeological assessments were received and updated on the archaeological potential model. Most of these archaeological assessments were received as part of a planning application and are used to continuously update the archaeological potential model.

Additionally, an archaeological consultant was retained to undertake a review of archaeological integrity mapping in targeted areas. This project continued work completed during the development of the *Archaeological Management Plan* (2018) that focused on the historic urban core of London. This detailed analysis confirmed which areas retain integrity, from an archaeological perspective, to focus any requirements for an archaeological assessment during a planning application. The detailed analysis resulted in a reduction of 1,123.5 hectares (2,776 acres) of areas identified as formerly having archaeological potential within the City of London. Further review of specified areas can be considered as budget allows.

2.3 Register of Cultural Heritage Resources

The Register of Cultural Heritage Resources is an important reference tool – identifying the cultural heritage status of properties in London, including all heritage designated properties and heritage listed (non-designated) properties. The proactive identification of resources of potential cultural heritage value (non-designated properties) acts as an important flag to ensure those resources are further studied and evaluated prior to a major change like redevelopment or a demolition.

At the end of 2023, the City of London has:

- 3,954 heritage designated properties, including:
 - 3,611 properties in one of London's seven Heritage Conservation Districts designated pursuant to Part V, *Ontario Heritage Act*
 - 103 properties designated pursuant to both Parts IV and V, *Ontario Heritage Act*
 - 240 properties designated pursuant to Part IV, *Ontario Heritage Act*
- 2,201 heritage listed properties, including:
 - One cultural heritage landscape.

In total, there are 6,155 heritage listed properties and heritage designated properties are included on the City of London's Register of Cultural Heritage Resources.

No properties were added to the Register of Cultural Heritage Resources in 2023. In 2023, 8 properties were removed from the Register of Cultural Heritage Resources (see Section 2.7).

2.4 Individually Designated Heritage Properties

In 2023, three properties were individually designated under the *Ontario Heritage Act*:

- 81 Wilson Avenue (see Image 1)
- 1350 Wharncliffe Road South
- 634 Commissioners Road West^a

These properties were included on the Register of Cultural Heritage Resources prior to their heritage designation.

^a The property at 634 Commissioners Road West was also noted in the 2022 Annual Report. The heritage designating by-law for the property at 634 Commissioners Road West was passed in 2022 but registered (after no appeals were received) in 2023.



Image 1: Installation of the blue City of London Heritage Property plaque on the heritage designated property at 81 Wilson Avenue on November 22, 2023.

The appeal regarding the heritage designation of the properties at 183 Ann Street and 197 Ann Street is still before the Ontario Land Tribunal (OLT).

The appeal regarding the heritage designation of the property at 247 Halls Mill Road is still before the Conservation Review Board (CRB).

2.5 Heritage Conservation Districts

There are seven Heritage Conservation Districts in London designated pursuant to Part V, *Ontario Heritage Act*. No new Heritage Conservation Districts were designated in 2023.

2.6 Heritage Alteration Permits

The decision-making process enabled through the Heritage Alteration Permit application works to ensure that the heritage attributes of a heritage designated property are appropriately protected and conserved during the process of change. Heritage Alteration Permit approval is required for an alteration to an individually designated heritage property if it is “likely to affect” any of the property’s heritage attributes or as determined by the Classes of Alterations defined in the applicable Heritage Conservation District plan.

In 2023, 105 Heritage Alteration Permits (HAPs) applications pursuant to the *Ontario Heritage Act* were processed. Of these, 92% (97/105 Heritage Alteration Permits) were processed administratively pursuant to the Delegated Authority By-law (see Table 1 and Figures 1-2). The Delegated Authority By-law enables staff to approve, or approve with terms and conditions, Heritage Alteration Permit application that comply with applicable policies and guidelines. Staff are not able to refuse a Heritage Alteration Permit application under the Delegated Authority By-law.

Table 1: Summary of Heritage Alteration Permits (HAP) by review type and year.

| | Delegated Authority HAPs | Municipal Council HAPs | Total HAPs |
|-------------------------|--------------------------|------------------------|------------|
| HAP applications (2023) | 97 | 8 | 105 |
| HAP applications (2022) | 89 | 14 | 103 |
| HAP applications (2021) | 70 | 16 | 86 |
| HAP applications (2020) | 64 | 16 | 80 |
| HAP applications (2019) | 111 | 16 | 127 |

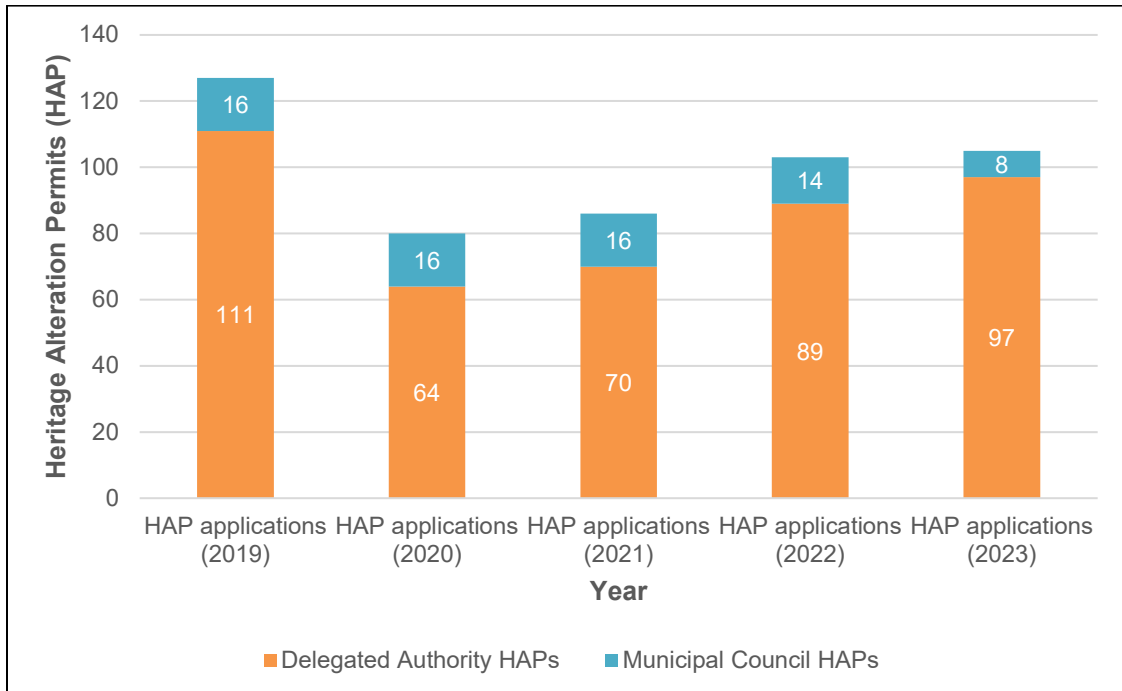


Figure 1: Stacked bar chart showing the proportion of Heritage Alteration Permit applications processed through the Delegated Authority By-law and those Heritage Alteration Permit applications requiring consultation with the CACP and a decision by Municipal Council since 2019.

The remaining eight (8) Heritage Alteration Permit applications met at least one of the “Conditions for Referral” in the Delegated Authority By-law, thus requiring consultation with the Community Advisory Committee on Planning (CACP) and a decision of Municipal Council to approve, approve with terms and conditions, or refuse the application. Of the eight Heritage Alteration Permit applications referred to the CACP and Municipal Council for a decision, only one (1) Heritage Alteration Permit application was recommended for refusal by staff. All eight Heritage Alteration Permits referred to the CACP and Municipal Council were approved or approved with terms and conditions in 2023.

The review of 100% of these Heritage Alteration Permit applications was completed within the provincially mandated timeline. See Appendix A for a list of Heritage Alteration Permits processed in 2023.

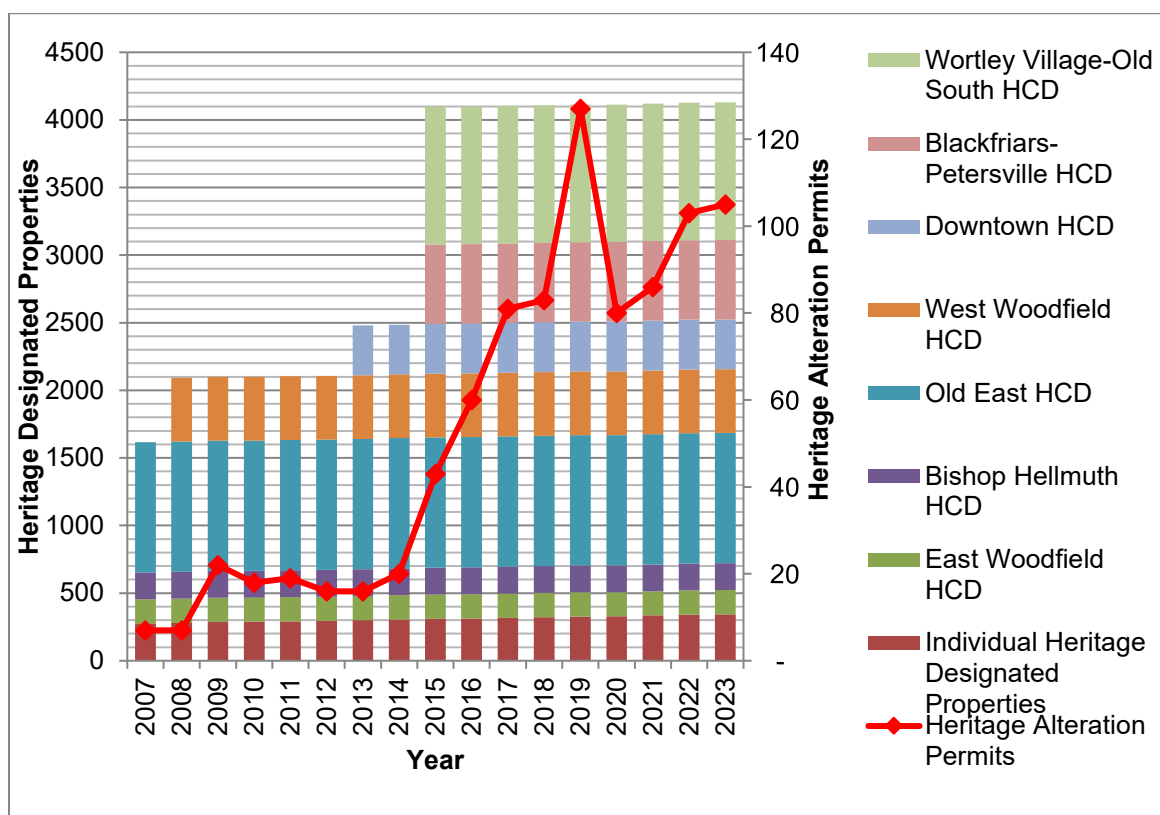


Figure 2: Chart showing the number of heritage designated properties in London and the number of Heritage Alteration Permits by year.

Enforcing the requirements of the *Ontario Heritage Act* with respect to heritage designating by-laws and Heritage Alteration Permits for properties continues to be a challenge.

Approval pursuant to a Heritage Easement Agreement was sought for one property in 2023: 39 Carfrae Street.

2.7 Demolition Requests

In 2023, there were eleven (11) demolition requests for heritage listed properties and heritage designated properties. Each of these demolition requests required consultation with the CACP, a public participation meeting at Planning and Environment Committee, and a decision of Municipal Council.

Of the 11 demolition requests, 8 request were for non-designated properties listed on the Register of Cultural Heritage Resources. All 8 of those requests resulted in the removal of the property from the Register of Cultural Heritage Resources, which allowed the demolition to proceed. The following properties were removed from the Register of Cultural Heritage Resources by resolution of Municipal Council in 2023:

- 2 Kennon Place
- 3 Kennon Place
- 689 Hamilton Road
- 763-769 Dundas Street
- 1588 Clarke Road
- 176 Piccadilly Street
- 5200 Wellington Road South
- 7056 Pack Road

One demolition request was considered for an individually designated heritage property at 247 Halls Mill Road. The demolition request for this property was restricted to the removal of debris on the former accessory structure, a process that was required to continue proceedings with the Conservation Review Board.

Two demolition requests were accompanied by Heritage Alteration Permit applications for proposed new buildings within two different Heritage Conservation Districts:

- 320 King Street, Downtown Heritage Conservation District
- 187 Wharncliffe Road North, Blackfriars/Petersville Heritage Conservation District

In 2023, the Ontario Land Tribunal (OLT) closed the appeal regarding Municipal Council's refusal of the demolition request for the heritage designated property at 183 King Street, Downtown Heritage Conservation District.

Additionally, the Heritage Planners completed 109 Required Clearances for Demolition Permit forms in 2023.

2.2 Municipally Owned Heritage Properties

In cooperation with Facilities, Heritage Planning staff continued to support the lifecycle renewal of municipally owned heritage properties in 2023. Highlights include:

- Repair and partial replacement of the cedar roof at Park Farm
- Construction of an accessible pathway at Eldon House (see Image 2)
- Replacement of the wood fence at Eldon House
- Restoration of the gate and fence at Elsie Perrin Williams Estate
- Removal of asbestos flooring at Grosvenor Lodge



Image 2: The new accessible pathway on the east side of Eldon House. This project was completed with the assistance of the City of London's AODA budget.

In December 2021, the City of London made an application to the Historic Sites and Monuments Board of Canada to recognize Labatt Memorial Park as a National Historic Site of Canada. A decision on the application is still pending.

Conclusion

The purpose of this report is to provide the CACP with information regarding activities in 2023 on the heritage planning program, including information regarding archaeology, the Register of Cultural Heritage Resources, heritage property designations, Heritage Alteration Permits, demolition requests, and municipally owned heritage properties (see Figure 3).

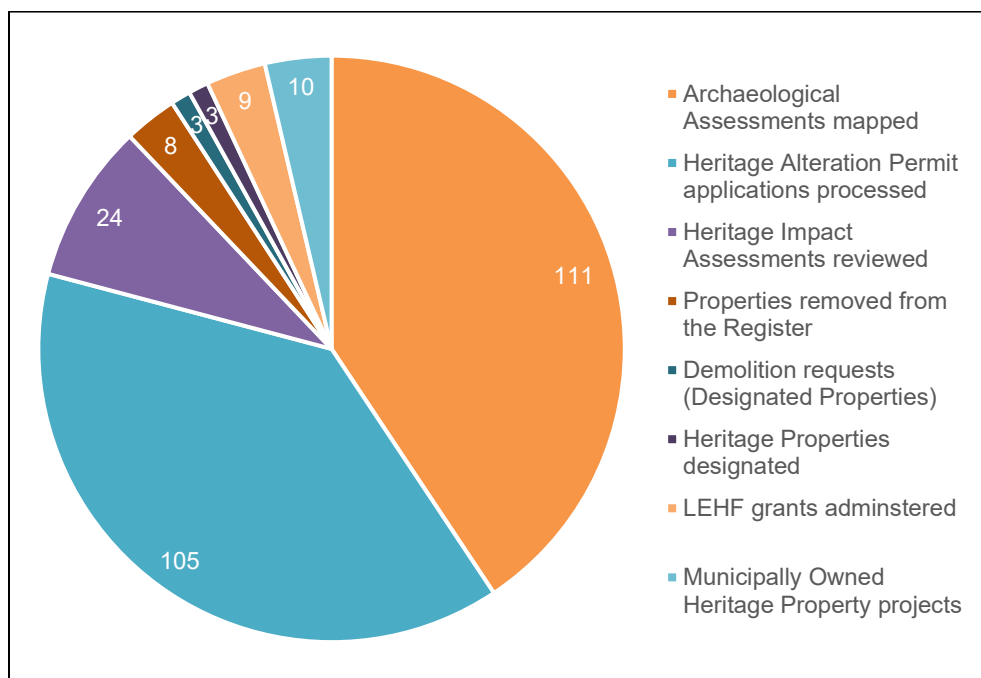


Figure 3: Summary highlight of the heritage planning program in 2023.

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Appendix A Heritage Alteration Permit applications in 2023 by Review Type

Appendix A – Heritage Alteration Permits

Heritage Alteration Permit applications processed in 2023 by review type:

Municipal Council

- HAP23-001-L, 54 Duchess Avenue, Wortley Village-Old South HCD
- HAP23-011-L, 19 Blackfriars Street, Blackfriars/Petersville HCD
- HAP23-015-L, 27 Bruce Street, Wortley Village-Old South HCD
- HAP23-036-L, 1 Cathcart Street/115 Bruce Street, Wortley Village-Old South HCD
- HAP23-040-L, 320 King Street, Downtown HCD
- HAP23-042-L, 520 Ontario Street, Old East HCD
- HAP23-047-L, 134 Wortley Road, Wortley Village-Old South HCD
- HAP23-074-L, 187 Wharncliffe Road North, Blackfriars/Petersville HCD

Delegated Authority

- HAP23-002-L, 209-213 King Street, Downtown HCD
- HAP22-082-D-a, 790 Queens Avenue, Old East HCD
- HAP23-003-D, 824 Lorne Avenue, Old East HCD
- HAP23-004-D, 294 Central Avenue, West Woodfield HCD
- HAP23-005-D, 178 Wharncliffe Road North, Blackfriars/Petersville HCD
- HAP23-006-D, 42 Albion Street, Blackfriars/Petersville HCD
- HAP23-007-D, 532 Dufferin Avenue, East Woodfield HCD
- HAP23-008-D, 82 Albion Street, Blackfriars/Petersville HCD
- HAP23-009-D, 28 Palace Street, East Woodfield HCD
- HAP23-010-D, 116 Wilson Avenue, Blackfriars/Petersville HCD
- HAP22-082-D-b, 790 Queens Avenue, Old East HCD
- HAP23-012-D, 83 Elmwood Avenue East, Wortley Village-Old South HCD
- HAP23-013-D, 16 Blackfriars Street, Blackfriars/Petersville HCD
- HAP23-014-D, 553 Dufferin Avenue, East Woodfield HCD
- HAP22-001-D-a, 808 Waterloo Street, Bishop Hellmuth HCD
- HAP22-083-D-a, 4402 Colonel Talbot Road
- HAP23-016-D, 820 Queens Avenue, Old East HCD
- HAP23-017-D, 140 Dundas Street, Downtown HCD
- HAP23-018-D, 892 Princess Avenue, Old East HCD
- HAP23-019-D, 854 Wellington Street, Bishop Hellmuth HCD
- HAP23-020-D, 141 Wortley Road, Wortley Village-Old South HCD
- HAP23-021-D, 560 English Street, Old East HCD
- HAP23-022-D, 74 Albion Street, Blackfriars/Petersville HCD
- HAP23-023-D, 29 Elmwood Avenue East, Wortley Village-Old South HCD
- HAP23-024-D, 363 Central Avenue, West Woodfield HCD
- HAP23-025-D, 514 Pall Mall Street
- HAP16-046-D-a, 188-190 Dundas Street, Downtown HCD
- HAP23-026-D, 312 Grosvenor Street, Bishop Hellmuth HCD
- HAP23-027-D, 89 King Street, Downtown HCD
- HAP21-080-D-b, 473 Colborne Street, West Woodfield HCD
- HAP23-028-D, 227 Wharncliffe Road North, Blackfriars/Petersville HCD
- HAP20-064-D-a, 6 Napier Street, Blackfriars/Petersville HCD
- HAP23-029-D, 496 Waterloo Street
- HAP23-030-D, 332 St James Street, Bishop Hellmuth HCD
- HAP23-031-D, 186 Dundas Street, Downtown HCD
- HAP22-070-D-a, 41 Cathcart Street, Wortley Village-Old South HCD
- HAP23-032-D, 625 Elizabeth Street, Old East HCD
- HAP23-033-D, 545 Ontario Street, Old East HCD
- HAP23-020-D-a, 141 Wortley Road, Wortley Village-Old South HCD
- HAP23-034-D, 261 Wortley Road, Wortley Village-Old South HCD
- HAP23-035-D, 201 Queens Avenue, Downtown HCD
- HAP23-037-D, 332 Central Avenue, West Woodfield HCD

- HAP23-038-D, 40 Oxford Street West, Blackfriars/Petersville HCD
- HAP23-039-D, 248 Hyman Street, West Woodfield HCD
- HAP23-041-D, 60 Bruce Street, Wortley Village-Old South HCD
- HAP23-043-D, 163 Oxford Street East
- HAP23-044-D, 6 Ingleside Place, Wortley Village-Old South HCD
- HAP23-045-D, 30 Victor Street, Wortley Village-Old South HCD
- HAP23-020-D-b, 141 Wortley Road, Wortley Village-Old South HCD
- HAP23-046-D, 447 Quebec Street, Old East HCD
- HAP23-048-D, 36 Askin Street, Wortley Village-Old South HCD*
- HAP22-026-D-c, 119 Elmwood Avenue East, Wortley Village-Old South HCD
- HAP23-049-D, 647 Elias Street, Old East HCD
- HAP23-050-D, 129-131 Wellington Street
- HAP23-051-D, 8 Cherry Street, Blackfriars/Petersville HCD
- HAP23-052-D, 338 St James Street
- HAP22-026-D-d, 119 Elmwood Avenue East, Wortley Village-Old South HCD
- HAP23-053-D, 174-184 York Street, Downtown HCD
- HAP23-054-D, 472 Elizabeth Street, Old East HCD
- HAP22-088-D-a, 920 Dufferin Avenue, Old East HCD
- HAP23-055-D, 415-417 Richmond Street, Downtown HCD
- HAP23-056-d, 89 Elmwood Avenue East, Wortley Village-Old South HCD
- HAP23-057-D, 94 Bruce Street, Wortley Village-Old South HCD
- HAP23-058-D, 169 Wortley Road, Wortley Village-Old South HCD
- HAP23-059-D, 189 Dundas Street, Downtown HCD
- HAP23-060-D, 141 Duchess Avenue, Wortley Village-Old South HCD
- HAP23-061-D, 527 Princess Avenue
- HAP23-062-D, 226 Dundas Street, Downtown HCD
- HAP23-063-D, 225 Queens Avenue, Downtown HCD
- HAP23-064-D, 316 Grosvenor Street, Bishop Hellmuth HCD
- HAP23-065-D, 802 Waterloo Street, Bishop Hellmuth HCD
- HAP23-066-D, 148 York Street, Downtown HCD
- HAP23-067-D, 140 Wortley Road, Wortley Village-Old South HCD
- HAP23-068-D, 122 Wharncliffe Road South, Wortley Village-Old South HCD
- HAP23-069-D, 68 Albion Street, Blackfriars/Petersville HCD
- HAP23-070-D, 189 Dundas Street, Downtown HCD
- HAP23-071-D, 171 Wortley Road, Wortley Village-Old South HCD
- HAP23-072-D, 34 Empress Avenue, Blackfriars/Petersville HCD
- HAP23-073-D, 27 Victor Street, Wortley Village-Old South HCD
- HAP23-075-D, 785 Wellington Street, Bishop Hellmuth HCD
- HAP23-034-D-a, 261 Wortley Road, Wortley Village-Old South HCD
- HAP23-076-D, 57 Askin Street, Wortley Village-Old South HCD
- HAP22-086-D-a, 173 Duchess Avenue, Wortley Village-Old South HCD
- HAP23-077-D, 139 Duchess Avenue, Wortley Village-Old South HCD
- HAP23-078-D, 129 Wharncliffe Road North, Wortley Village-Old South HCD
- HAP22-001-D-b, 808 Waterloo Street
- HAP23-079-D, 795 Lorne Avenue, Old East HCD
- HAP23-080-D, 330 Clarence Street, Downtown HCD
- HAP23-069-D-a, 68 Albion Street, Blackfriars/Petersville HCD
- HAP23-081-D, 421 Ridout Street North, Downtown HCD
- HAP23-082-D, 4 Brighton Street, Wortley Village-Old South HCD
- HAP23-083-D, 15 Ingleside Place, Wortley Village-Old South HCD
- HAP23-084-D, 195 Dundas Street, Downtown HCD
- HAP23-085-D, 538 Colborne Street, West Woodfield HCD
- HAP23-086-D, 506 Ontario Street, Old East HCD
- HAP23-087-D, 47 Bruce Street, Wortley Village-Old South HCD
- HAP23-077-D-a, 139 Duchess Avenue, Wortley Village-Old South HCD