

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Passage of Heritage Designating By-law for 247 Halls Mill Road

Date: December 3, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the proposed by-law, attached as Appendix A, to designate the property at 247 Halls Mill Road to be of cultural heritage value or interest **BE INTRODUCED** at the Municipal Council meeting to be held on December 17, 2024; it being noted that this matter has been considered by the Community Advisory Committee on Planning and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*.

Executive Summary

The City received a written request to demolish the former accessory building (also known as the Red Barn) on the heritage-listed property at 247 Halls Mill Road on December 13, 2019. At its meeting held on January 28, 2020, Municipal Council resolved to issue a Notice of Intention to Designate the property at 247 Halls Mill Road pursuant to Part IV of the *Ontario Heritage Act*, thereby refusing the demolition request.

On January 30, 2020, prior to the issuance of the Notice of Intention to Designate the property, the accessory building was demolished, without Municipal Council's approval. Despite the demolition of the accessory building, the property continues to have significant cultural heritage value or interest. A Notice of Intention to Designate the property was published on February 6, 2020.

An appeal to the Notice of Intention to Designate the property under the *Ontario Heritage Act* was received by the City on February 24, 2020, and referred to the Conservation Review Board, a predecessor of the Ontario Land Tribunal, on March 11, 2020.

Since the appeal of the Notice of Intention to Designate the property, staff and the property owner have reached a resolution regarding the designation of the property. The passage of the heritage designating by-law is the last step in the process to recognize the cultural heritage value or interest of the property. The statement of cultural heritage value or interest included within the proposed by-law, attached as Appendix A to this report reflects the agreement reached by the City and the property owner to designate the property at 247 Halls Mill Road under the *Ontario Heritage Act*.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- London has safe, vibrant, and healthy neighbourhoods and communities.
 - Londoners have a strong sense of belonging and sense of place.
 - Create cultural opportunities that reflects arts, heritage, and diversity of community.

Analysis

1.0 Background Information

1.1 Property Location

The property at 247 Halls Mill Road is located on the west of Halls Mill Road, north of Commissioners Road West. The property is located in the former hamlet of Halls Mills, later Village of Byron, in the former Westminster Township. This area was annexed by the City of London in 1961.

1.2 Previous Reports Related to this Matter

2020, January 20 – Report to Planning and Environment Committee. Demolition Request for Heritage Listed Property at 247 Halls Mill Road by John McLeod – Public Participation Meeting. Agenda Item 3.3: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70325>

2023, March 20 – Report to Planning and Environment Committee. Demolition Request by J. McLeod for Heritage Designated Property at 247 Halls Mill Road, Ward 9 – Public Participation Meeting. Agenda Item 3.2: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=97918>

1.3 Appeal to the Conservation Review Board

An appeal of the Notice of Intention to Designate the property was received by the City on February 24, 2024. The appeal was referred to the Conservation Review Board on March 11, 2020.

The Conservation Review Board (CRB) is a predecessor of the Ontario Land Tribunal (OLT). The CRB heard disputes on matters relating to the designation of individual properties under the *Ontario Heritage Act*. Unlike the current OLT framework, the CRB issued recommendations to Municipal Council, rather than a binding decision. As a part of Bill 108 (2019) the CRB became a part of the London Planning Appeal Tribunal (LPAT), which later amalgamated and continued to create the OLT. Given that the appeal to the Notice of Intention to Designate the property at 247 Halls Mill Road was referred to the CRB prior to the establishment of the OLT, the matter remains within the purview and rules of the CRB.

Since the appeal of the Notice of Intention to Designate the property, staff and the property owners have reached a resolution regarding the designation of the property at 247 Halls Mill Road. The accessory building is no longer present on the property, and as a result cannot be designated. Staff and the property owners agree that the property still warrants designation pursuant to the *Ontario Heritage Act* as the property exceeds the minimum criteria for designation, as it relates to the remaining Queen Anne Revival cottage on the property.

The passage of the heritage designating by-law is the last step in the process to recognize the cultural heritage value or interest of the property. The passage of the proposed by-law attached as Appendix A to this report would result in the resolution of the appeal between the property owners and the City.

The London Advisory Committee on Heritage (LACH), now CACP, was consulted on the demolition request and evaluation of the property in 2020, fulfilling the consultation requirements under Section 29(2) of the *Ontario Heritage Act*. The Notice of Intention to Designate the property was appealed to the CRB, and a resolution has been reached. Objection and appeal opportunities on this matter have been expended.

Conclusion

The Queen Anne Revival style cottage on the property at 247 Halls Mill Road is a significant cultural heritage resource. The evaluation of the property determined that the property exceeds the minimum criteria of Ontario Regulation 9/06 and warrants

designation under the *Ontario Heritage Act*. Staff have worked with the property owners to reach a resolution regarding the designation of the property under the *Ontario Heritage Act*. The statement of cultural heritage value or interest included within the proposed by-law, attached as Appendix A reflects the agreement reached between the City and the property owner.

The proposed by-law attached as Appendix A should be passed at Municipal Council on December 17, 2024.

Prepared by: Michael Greguol, CAHP
Heritage Planner

Reviewed by: Kyle Gonyou, RPP, MCIP, CAHP
Manager, Heritage and Urban Design

Submitted by: Heather McNeely, RPP, MCIP
Director, Planning and Development

Recommended by: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic
Development

Copy: Kevin Edwards, Manager, Community Planning

Appendix A – Proposed By-law

**Bill No.
2025**

BY-LAW NO. XXX

A by-law to authorize the designation of real property located at 247 Halls Mill Road, London, as the property of cultural heritage value or interest under Section 29, Part IV, of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18

WHEREAS the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes a municipality to designate a property within the municipality to be of cultural heritage value or interest if the property meets the prescribed criteria and the designation is made in accordance with the process set out in the *Ontario Heritage Act*, R.S.O. 1990, c. O.18;

AND WHEREAS the Council for The Corporation of the City of London, in consultation with the London Advisory Committee on Heritage, deems 247 Halls Mill Road to be of cultural heritage value and interest in accordance with the prescribed criteria by the *Ontario Heritage Act*, R.S.O. 1990, c. O.18;

AND WHEREAS the Council for The Corporation of the City of London gave notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON HEREBY ENACTS AS FOLLOWS:

1. That the property located at 247 Halls Mill Road, and more particularly described in Schedule “A” hereto attached and forming part of this by-law, is hereby designated as a property of cultural heritage value or interest under Section 29, Part IV, of the *Ontario Heritage Act*, 1990, c. O. 18.
2. That the City Clerk is hereby authorized and directed to:
 - a. cause a copy of this by-law, together with the statement of cultural heritage value or interest and description of heritage attributes set out in Schedule “B” hereto attached and forming part of this by-law, to be registered against the property affected in the proper land registry office, pursuant to subsection 29(19) of the *Ontario Heritage Act*, 1990 c. O. 18; and,
 - b. cause a copy of the registered by-law to be served on the Ontario Heritage Trust, pursuant to subsection 29(19) of the *Ontario Heritage Act*, 1990 c. O. 18.
3. This by-law shall come into force and effect on the date this by-law is passed by Council.

PASSED in Open Council on December 17, 2024.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 17, 2024
Second Reading – December 17, 2024
Third Reading - December 17, 2024

SCHEDULE "A"

To

By-law Number _____

247 Halls Mill Road, London

PIN: 08501-0050 (LT)

Legal Description: PT LT 115 RCP 563 AS IN 755312 London

SCHEDULE “B”

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

Description of Property

The property at 247 Halls Mill Road (the “**Property**”) in London is located on west side of Halls Mill Road, north of Commissioners Road West. The Property is located in Halls Mills, a historic area of the former Westminster Township, now a part of the community of Byron, in London, Ontario.

Statement of Cultural Heritage Value

The Cottage (hereinafter defined) located on the Property is of significant cultural heritage value or interest because of its physical or design values, its historical or associative values, and its contextual values.

Criteria 1: The Property includes a representative example of a Queen Anne Revival style, side hall plan cottage, with a buff brick exterior (the “**Cottage**”). The Cottage is believed to have been constructed in the 1840s and evolved in the 1890s when a number of its decorative elements were added, making it a representative example of the Queen Anne Revival style applied to a side hall plan cottage in London.

Criteria 2: The concentration of decorative wood detailing on the Cottage’s gable and bargeboard elements as well as its decorative verandah posts contribute to the expression of its style as a Queen Anne Revival cottage. As a result, the Cottage displays a high degree of craftsmanship.

Criteria 4: The Property is directly associated with William Griffith, one of the three Griffith brothers who owned and operated the Griffith Bros. woolen mill in Byron between the 1860s and 1890s. The mill was located directly across the road from the Property at 247 Halls Mill Road, on the property now known as Halls Mills Park. The Cottage on the Property at 247 Halls Mill Road was the home of William Griffith, and the former accessory building on the Property functioned as a coach house and warehouse for the Griffith Bros. woolen mill.

Criteria 7: The Property is important in defining the character of the Halls Mills area. The Hall’s Mills area is characterized by a geographical context near the Thames River and its topography, along with the collection of early and mid-19th century buildings located along Halls Mills Road and Commissioners Road West. As the Property includes an 1840s dwelling (the Cottage), the Property is a part of the concentration of cultural heritage resources in the Halls Mill area that contribute to its character and have led to its identification as a potential heritage conservation district.

Criteria 8: The Property is historically linked to the property now known as Halls Mill Park, on the east side of Halls Mill Road. The Halls Mill Park property was the site of the Griffith Bros. woolen mill which was operated by William Griffith, owner of 247 Halls Mill Road, in partnership with his brothers. As the milling site for their Byron operation, the properties are historically linked.

Heritage Attributes

The heritage attributes that support and contribute to the physical and design value of the Cottage on the Property as a representative example of the Queen Anne Revival style, and its high degree of craftsmanship include:

- Form, scale, and massing of the one-and-a-half storey Cottage and details including;
 - - Field stone foundation;

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- Buff brick exterior cladding, with voussoirs above the window and door openings on the facades and quoins on the north and south elevations;
- Gables located on the north, east, and south facades;
- Decorated north, east and south gables, and gable dormer on the north side of the house, including wood details:
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 - Bargeboard with decorative linear and medallion elements, corbels, and dentils;
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 - Scalloped wood shingle imbrication on gables and dormer;
 - “Alisée Pattée” cross motif along the frieze of the gables;
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 - Circular feature including “Alisée Pattée” cross design and medallions;
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 - Dentil course above the gable windows; and,
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 - Wood corbels at the base of the gable.
- Decorated north and south porches including wood details:
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 - Turned posts;
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 - Decorative wood spandrels; and,
 - “Alisée Pattée” cross designs and medallion designs in the peak of the gable on the south porch.
- Stained glass semi-circular windows on the north and east façades and the transom;
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- South paired wood door;
- East paneled wood door with glazing;
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- North paneled wood door with glazing;
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- Hipped roof with cross gables; and,
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- Buff brick chimney on the south elevation of the dwelling.

The heritage attributes that support and contribute to the contextual value of the Cottage on the Property in defining the character of the Halls Mills area and its historical links to the surroundings include:

- The siting of the Cottage a grade above road level, on the south side of the Property; and
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- Access to the Property from steps from the public road allowance.