

--	--

K. Gonyou

<b>TO:</b>	<b>CHAIR AND MEMBERS LONDON ADVISORY COMMITTEE ON HERITAGE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>REQUEST FOR REPEAL OF DESIGNATING BY-LAW NO. L.S.P. -3249-28 77 PRICE STREET BY: R. &amp; L. GORRIE WEDNESDAY MAY 13, 2015</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the request to repeal designating By-law No. L.S.P.-3249-28 for 77 Price Street **BE REFUSED** and that notice of this decision **BE GIVEN** to the property owners and to the Ontario Heritage Trust.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

None.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
---

The purpose of the recommended action is to refuse a request to repeal the designating by-law for a property designated under Part IV of the *Ontario Heritage Act*.

<b>BACKGROUND</b>
-------------------

77 Price Street is located at the southwest corner of Price Street and Homan Street, in the Hamilton Road/Egerton Street area. The dwelling on the property is a two storey buff brick building with a slate-clad hipped roof in the Italianate style (Appendix A). A two-storey wing with an asphalt shingle-clad gable roof is located at the rear of the buff brick structure, with a verandah along the north side. The Price Street façade, the front, is articulated by an ornate double window as well as paired wooden front doors below a porch covering. Both the front door and front window have stained glass transoms. The interior features a double parlour with many historic features, including exceptional plasterwork crown moulding. At the request of the property owners in 1995, 77 Price Street was designated under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3249-28 (Appendix B).

**Brief History and Timeline**

The building located at 77 Price Street was constructed circa 1885. It was originally in a rural context, suggested by references to outbuildings and other agricultural functions within the designating by-law. Henry Stratford, first occupant, lived at 77 Price Street from 1885 until 1898. Stratford was a plasterer, and was likely responsible for the ornamental plasterwork in the double parlour of 77 Price Street. Isaac Crouse, prominent bridge builder in London, purchased the property in 1904 and lived at 77 Price Street until his death in 1915. The property remained in the Crouse family until 1938 when it was sold to Thomas Hunter. The present owners, R. & L. Gorrie, purchased the property in 1982 and have made a concerted effort to restore the home.

In the early 1990s, the City’s “Heritage Property Designation Program” encouraged property owners to apply to designate their properties under the *Ontario Heritage Act*. In 1994, the property owners of 77 Price Street applied to the Heritage Planner to have their property designated under the *Ontario Heritage Act*. This request was supported by a copy of the property deed, as well as

--	--

**K. Gonyou**

a brief description of the property and potential “heritage attributes.” The letter from the property owners noted that 77 Price Street was included in *The North and the East*, an architectural and historical survey by John H. Lutman and Christopher L. Hives (1982).

A draft “Reasons for Designation” (now known as a “Statement of Cultural Heritage Value or Interest”) was developed and circulated to the property owners. This was amended to include interior features including the plasterwork, wood trim, and functioning period fireplace. Following the practice of the day, the property owners gave their consent to the designation.

On February 6, 1995 77 Price Street was designated under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P. 3249-28, which was registered on the title of the property. The property owners allowed the installation of a blue heritage property plaque on their property, which is presently adjacent to the front door.

In 2004, the property owners applied to the London Endowment Fund for Heritage and received a \$1,200 grant for the reconstruction of the verandah.

On January 15, 2015, the Heritage Planner received an inquiry regarding the de-designation process from the property owners. On January 16, 2015, the property owners requested the repeal of the designation of 77 Price Street, citing the rising cost of insuring the home because of its “age and designation.” Under the *Ontario Heritage Act*, Municipal Council must respond to a request to repeal a designating by-law within 90 days, otherwise consent is deemed granted and the designation is repealed. The property owners have agreed to extend this period to allow sufficient time to research the difficulty of obtaining insurance for heritage properties as well as obtaining additional quotes.

On January 20, 2015, the Heritage Planner emailed the Ministry of Tourism, Culture and Sport, as well as soliciting insight from Heritage Planners Network in other municipalities on January 22, 2015. Obtaining insurance for a heritage designated property appears to be a prevalent issue across Ontario, although limited examples are reported annually. Most responses from the Heritage Planners Network indicated a few cases per year, but most were resolved before resorting to the repeal of the designating by-law.

This matter was brought to the attention of the London Advisory Committee on Heritage (LACH) on February 11, 2015. LACH referred the request to repeal the designating by-law to its Stewardship Sub-Committee. At its meeting on February 25, 2015, the Stewardship Sub-Committee did not support the request for repeal of the designating by-law, citing the designation by-law as still valid. This matter was on the agendas for the March 11, 2015 and April 8, 2015 LACH meetings, but was deferred each time with the property owners’ concurrence to allow for further research and consultation.

On March 3, 2015 and on April 10, 2015 the Heritage Planners met with one of the property owners to discuss the issue. The insurance premium for 77 Price Street increased in early 2015, which prompted the property owners to seek alternative insurance providers. Five insurance companies were contacted to obtain quotes with the same basic parameters. Some insurance providers charge more to insure a heritage designated property, but other provides do not.

It was noted that the property owners were able to obtain insurance for their property, but at a higher cost being attributed to the designation.

**ANALYSIS**

The property owners’ difficulty in obtaining insurance is the motivating factor for requesting the repeal of the designating by-law for 77 Price Street. Obtaining insurance coverage for heritage designated properties appears to be an acute, but persistent, issue across Ontario. While the *Ontario Heritage Act* outlines a process to repeal a designating by-law, precedence suggests that hardship obtaining insurance does not warrant the repeal of a designating by-law.

--	--

K. Gonyou

### Insurance and Heritage Properties

As a province-wide issue, the Ministry of Tourism, Culture and Sport has taken the effort of working with the Insurance Bureau of Canada to provide information regarding insuring heritage properties. In August 2012, the Ministry of Tourism, Culture and Sport revised “Insurance and Heritage Properties (originally published in 2006).” It states,

“Your premiums should not go up as a result of a heritage designation. A variety of other reasons cause insurance companies to increase premiums for older buildings if there is a higher level of risk, such as services (outdated wiring, old heating systems, etc.). In fact, some companies do not insure buildings over a certain age. **Designation itself, however, does not place additional requirements on the insurer and therefore should not affect your premiums.**” (emphasis added)

“Heritage Property Real Estate and Insurance” was a topic at the Ontario Heritage Conference in Cornwall, Ontario in May 2014. A video recording of the presentation is available at: <https://www.youtube.com/watch?v=c58wF5wV9ts> (skip to minute 45 of the video). The presentation and discussion highlighted that there are many reasons why an insurance provider may refuse to insure a particular property, such as age or other risk factors. It also identified cost as an obstacle for some property owners. This is often in situations where the insured replacement cost is greater than the market value of the property. Replacement costs are the costs that an insurance claim would incur to replace a building if lost (e.g. materials, labour, and equipment required for reconstruction). Market value, on the other hand, is what an individual in the real estate market would pay for the property. If those two values are not comparable, it can create a situation where the carrying costs of adequate replacement cost insurance are greater than the market value of the property. As stated by the Ministry of Tourism, Culture and Sport, designation itself does not change or affect the replacement value of the property.

The age and materials of the building are also factored into the costs for insurance. For example, the costs to insure a solid stone building would be higher than a building with a stone veneer, recognizing that in the event of catastrophic loss the solid stone building would likely be replaced by a stone veneer building. Additionally, some insurers refuse to insure a building built prior to a particular date, 1900 for example.

### Repeal of Designating By-law, Owner’s Initiative

Under Section 32(1) of the *Ontario Heritage Act*, an owner of a property designated under Part IV of the *Ontario Heritage Act* may apply to Municipal Council to repeal the designating by-law. The *Ontario Heritage Act* states,

- (2) After consultation with its municipal heritage committee, where one is established, the council shall consider an application under subsection (1) and within ninety days of receipt thereof shall,
  - a) Refuse the application and cause notice of its decision to be given to the owner and to the [Ontario Heritage] Trust; or,
  - b) Consent to the application to repeal the designating by-law, and
    - i) Cause notice of the intention to repeal the by-law to be served on the owner and the Ontario Heritage Trust, and
    - ii) Publish notice of the intention to repeal the by-law in a newspaper of general circulation in the municipality (Section 32(2), *Ontario Heritage Act*).

Should Municipal Council fail to notify the applicant of its decision within 90 days, consent shall be deemed given and the designating by-law repealed. In this case, both parties have agreed to extend this 90 day timeline as per Section 32(3) of the *Ontario Heritage Act*.

Within 30 days of receiving Municipal Council’s notice of its decision, the owner may appeal to the Conservation Review Board. The Conservation Review Board is a provincially-appointed review body which holds hearings to review appeals concerning the designation of and alterations to properties designated under Part IV of the *Ontario Heritage Act*. It makes recommendations regarding appeals, such as this request to repeal a designating by-law. The final decision rests with the municipal council.

--	--

**K. Gonyou**

Should Municipal Council consent to the repeal of the designating by-law, any person may service notice of objection to the City Clerk within 30 days of the publication of the notice of intention to repeal the designating by-law in the newspaper.

**Recent Conservation Review Board Hearings**

Two recent Conservation Review Board hearings may provide a frame of reference for consideration of the property owners’ request to repeal the designating by-law for 77 Price Street. The first hearing reconciles the process and evaluation required to justify the repeal of a designating by-law. Difficulty obtaining insurance as the motivation to repeal a designating by-law is considered by the second Conservation Review Board hearing.

In Conservation Review Board hearing 0807 (CRB0807) (2009), the Municipality of the Village of Merrickville-Wolford refused the request of the property owner to repeal the designating by-law for 212 Drummond Street East, Village of Merrickville-Wolford, Ontario. The request was motivated by the alteration of the front verandah. In this case, the property owner proceeded to alter the verandah after Municipal Council of the Village of Merrickville-Wolford denied their application to obtain consent to alter the heritage designated property. The property owners subsequently requested the repeal of the designating by-law for 212 Drummond Street East. The Village of Merrickville-Wolford denied their request, prompting the property owners to appeal to the Conservation Review Board.

The Conservation Review Board stated, “that a s.32 by-law repeal is effectively a reverse s.29 evaluation, and thus the primary scope of enquiry would be a determination of the cultural heritage value or interest of the property under the criteria of Ontario Regulation 9/06” (CRB0807). The Village of Merrickville-Wolford failed to demonstrate that the property demonstrated sufficient cultural heritage value or interest to merit designation, thus the Conservation Review Board recommended the designating by-law for the property be repealed. In 2010, the Council of the Village of Merrickville-Wolford repealed the designating by-law for 212 Drummond Street East.

In Conservation Review Board hearing 0906 (CRB0906) (2010) the Town of Parry Sound consented to a request to repeal the designating by-law for 41 Church Street, Parry Sound, Ontario. The property owner cited difficulty in obtaining insurance as the motivating factor for requesting repeal of the designating by-law. That decision was appealed by a community member to the Conservation Review Board.

Evidence presented in CRB0906 demonstrated that the Town of Parry Sound erroneously applied a “volunteer attitude for designation.” Council of the Town of Perry Sound felt that “the ability to obtain property insurance is critical to security of accommodation. It is considered a sufficient reason to remove the designation from the property.” In a previous case heard at the Superior Court of Justice, Tremblay v. Lakeshore (Town) (2003), any municipal policy which requires an owner’s permission to designate is in violation of the *Ontario Heritage Act*. The Conservation Review Board ruled that the Town of Parry Sound failed to present any reasoned arguments for repealing the designating by-law beyond its practice of “voluntary designation.”

The Conservation Review Board rejected the owner’s claim of undue hardship in obtaining homeowner’s insurance, stating,

“The property Owner’s main focus was on the perceived undue hardship issue of not being able to find cost effective insurance coverage for his designated property. The Objector was able to demonstrate that insurance coverage and premium costs usually relate to the age and condition of an older building, in particular plumbing and heating elements. The designating bylaw for 41 Church Street only describes exterior elements, so there is no premium on the condition of the inside fundamentals of this older house. Since the Owners did obtain insurance, and since the Objector was able to provide written documentation of the availability of insurance locally for ‘older’ houses, the Review Board rejects the Owner’s argument of undue hardship.”

The Conservation Review Board recommended that the Council of the Town of Parry Sound not proceed to consent to the repeal of the designating by-law for 41 Church Street.

--	--

**K. Gonyou**

The Town of Parry Sound staff prepared a report recommending that the Municipal Heritage Committee be asked to review the heritage attributes of 41 Church Street as recommended by the Conservation Review Board and report back to Council with their findings. Notwithstanding staff's recommendation, the Council of the Town of Parry Sound decided to maintain their repeal of the designating by-law for 41 Church Street at their meeting on August 10, 2010.

**Test to Repeal a Designating By-law**

To determine if a property merits protection under Part IV of the *Ontario Heritage Act*, it must be evaluated using the criteria of *Ontario Heritage Act* Regulation 9/06. The mandated criteria of *Ontario Heritage Act* Regulation 9/06 are:

A property may be designated under Section 29 of the *Ontario Heritage Act* if it meets one or more of the following criteria for determining cultural heritage value or interest:

1. The property has design value or physical value because it,
  - a. Is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - b. Displays a high degree of craftsmanship or artistic merit, or
  - c. Demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it,
  - a. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,
  - a. Is important in defining, maintaining or supporting the character of an area,
  - b. Is physically, functionally, visually, or historically linked to its surroundings, or,
  - c. Is a landmark.

So long as a property meets one of the above criteria, it may be designated under Part IV of the *Ontario Heritage Act*. If a property does not meet any of the above criteria, it does not merit designation under Part IV of the *Ontario Heritage Act*.

As this evaluation is required for new designations under Part IV of the *Ontario Heritage Act*, it must be applied in considering the repeal of an existing designating by-law (see CRB0807, above). If a property previously designated under Part IV of the *Ontario Heritage Act* is determined to not demonstrate sufficient cultural heritage value or interest to merit designation, as required by the mandated criteria of *Ontario Heritage Act* Regulation 9/06, its designating by-law may be repealed. If a property previously designated under Part IV of the *Ontario Heritage Act* is determined to demonstrate one or more of the criteria of *Ontario Heritage Act* Regulation 9/06, its designating by-law should be upheld.

By-law No. L.S.P. -3249-28 was reviewed using the criteria of *Ontario Heritage Act* Regulation 9/06 (Appendix C). Historical research compiled for the designation of 77 Price Street in 1994 was reviewed. A site visit was conducted on February 25, 2015 and interior photographs were supplied by the property owner (see Appendix A). It should be noted that 77 Price Street was designated prior to the 2005 amendments to the *Ontario Heritage Act*, thus the designating by-law is structured differently than a contemporary designating by-law (e.g. no heritage attributes are identified; historical reasons and architectural reasons are discussed).

The review of the designating by-law affirms that 77 Price Street merits protection under Part IV of the *Ontario Heritage Act* (see Appendix C). Thus, By-law No. L.S.P. -3249-28 should not be repealed.

**Opportunity to Amend Designating By-law**

It should be noted that Section 30.1(2)(a) of the *Ontario Heritage Act* provides the opportunity for Municipal Council to amend an existing designating by-law. There are three scenarios which

--	--

**K. Gonyou**

permit the amendment of a designating by-law. They are:

- a) To clarify or correct the statement explaining the property’s cultural heritage value or interest or the description of the property’s heritage attributes;
- b) To correct the legal description of the property; or
- c) To otherwise revise the language of the by-law to make it consistent with the requirements of the Act or the regulations.

Given that 77 Price Street was designated under Part IV of the *Ontario Heritage Act* prior to 2005, the language of the by-law is not consistent with the current requirements of the *Ontario Heritage Act* or its regulations. While the existing designating by-law cannot be interpreted as invalid, this situation may provide the opportunity to bring an existing designating by-law into conformity with the requirements of the *Ontario Heritage Act*.

<b>CONCLUSION</b>
-------------------

Designation under the *Ontario Heritage Act* is based on the cultural heritage value or interest of a property and not on any economic considerations. While it is unfortunate that the property owners have experienced difficulty obtaining cost effective homeowners’ insurance, this is not a sufficient reason to warrant the repeal of a designating by-law.

A review of the designating by-law using the criteria of *Ontario Heritage Act* Regulation 9/06 affirmed that 77 Price Street demonstrates significant cultural heritage value or interest. Staff recommend Municipal Council uphold the By-law No. L.S.P. -3249-28.

The City promotes the conservation of its cultural heritage resources as positive contributions to the identity of London, instilling civic pride, and benefiting the local economy. To repeal the designating by-law for a property based on the request of a property owner citing rising costs would set a negative precedent for the City and the province, and would detract from the momentum achieved to date in the conservation of London’s cultural heritage resources.

Agenda Item #    Page #

--	--

**K. Gonyou**

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>KYLE GONYOU HERITAGE PLANNER URBAN REGENERATION</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER, URBAN REGENERATION</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

2015-04-23

Attach:

- Appendix A: Photographs
- Appendix B: By-law No. L.S.P. 3249-28
- Appendix C: Review of By-law No. L.S.P. 3249-28

Y:\Shared\policy\HERITAGE\Repeal of Designating By-law\Price Street, 77\LACH Repeal Request - 77 Price Street.docx

--	--

K. Gonyou

### **Bibliography of Information and Materials**

#### **Request for Repeal of Designating By-law No. L.S.P. -3249-28:**

City of London Request for Repeal of Designating By-law, completed by R. & L. Gorrie, January 16, 2015.

#### **Reference Documents:**

City of London. Designating By-law No. L.S.P. -3249-28.

City of London. File on 77 Price Street.

Conservation Review Board. "Re: Objection under s.32(14) of the *Ontario Heritage Act*, to the Notice of Intention to Repeal By-law 94-3705 that designates the property known municipally as 41 Church Street in the Town of Parry Sound, under s.29 of the *Ontario Heritage Act*" (CRB0906). June 11, 2010.

Conservation Review Board. "Re: The Municipality of the Village of Merrickville-Wolford – refusal of an application by Diana McCavera and Michael McCavera under s.32 of the *Ontario Heritage Act* to repeal part of By-law 10-82 under s.29 of the *Ontario Heritage Act* designating the property known municipally as 212 Drummond Street East in the Village of Merrickville-Wolford" (CRB0807). August 10, 2009.

Lutman, John and Hives, Christopher L. *The North and the East*. 1982.

Ministry of Tourism, Culture and Sport. "Insuring Heritage Properties." 2006, revised 2012.

*Ontario Heritage Act*, R.S.P. 1990, Chapter O.18.

Ontario Heritage Conference 2014. Conference Proceedings. Cornwall, Ontario.

Superior Court of Justice. *Tremblay v. Lakeshore (Town)*, 2003 6354 (ON SCDC). November 3, 2003.

Town of Whitby. "Request to Repeal Heritage Designation By-law 2655-89, The Robert Spence House, 709 Centre Street South." PL 106-10. September 7, 2010.

#### **Other:**

Email communications. Ministry of Tourism, Culture and Sport. January 20 – March 3, 2015.

Email communications. Village of Merrickville-Wolford. April 22, 2015.

Site visit February 25, 2015 and photographs of the same date. Photographs supplied by the property owners as noted.



--	--

K. Gonyou

**APPENDIX A: Photographs**



Image 1: View of 77 Price Street showing the Price Street façade (February 25, 2015).



Image 2: North façade of 77 Price Street (February 25, 2015).



Image 3: Detail of the front door of 77 Price Street (February 25, 2015).



--	--

K. Gonyou



Image 4: Detail of the paired brackets of 77 Price Street (February 25, 2015).



Image 5: Detail of the slate roof (January 28, 2015) (Image courtesy of the property owners).



Image 6: The functioning period fireplace, referenced in the designating by-law, at 77 Price Street (January 28, 2015) (image courtesy of the property owners).

--	--

**K. Gonyou**



Image 7: Detail of the ornamental plaster work and sample of the wood trim in the double parlour of 77 Price Street (January 28, 2015) (Image courtesy of the property owners).



Image 8: Detail of the ornamental plaster work at 77 Price Street (January 28, 2015) (Image courtesy of the property owners).



Image 9: Detail of the wood trim noted in the designating by-law (January 28, 2015) (Image courtesy of the property owners).

--	--

K. Gonyou

**APPENDIX B: By-law No. L.S.P. -3249-28**

Bill No. 43  
1995

**By-law No. L.S.P.-3249-28**

**A by-law to designate 77 Price Street to be of architectural and historical value.**

WHEREAS pursuant to the *Ontario Heritage Act*, R.S.O. 1990, c. 0.18, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of historic or architectural value or interest;

AND WHEREAS notice of intention to so designate the property known as 77 Price Street has been duly published and served and no notice of objection to such designation has been received;

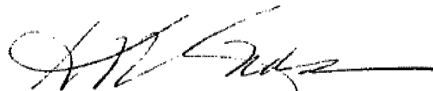
The Municipal Council of The Corporation of the City of London enacts as follows:

1. There is designated as being of architectural and historical value or interest, the real property at 77 Price Street, more particularly described in Schedule "A" hereto, for the reasons set out in Schedule "B" hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Foundation and to cause notice of this by-law to be published in the London Free Press, and to enter the description of the aforesaid property, the name and address of its registered owner, and short reasons for its designation in the Register of all properties designated under the *Ontario Heritage Act*, R.S.O. 1990.
4. This by-law comes into force on the day it is passed.

PASSED in Open Council on February 6, 1995.

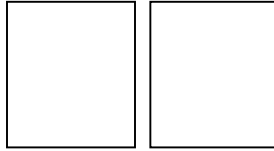


Dianne Haskett  
Mayor



K. W. Sadler  
City Clerk

First reading - February 6, 1995  
Second reading - February 6, 1995  
Third reading - February 6, 1995



K. Gonyou

**SCHEDULE "A"**

To By-law No. L.S.P.-3249-28

Lot 12 and Part Lot 13 on the west side of Price Street, according to Registered Plan 315(C), being all of PIN 08344-0008.

As in Instrument Number 624171.

**SCHEDULE "B"**

To By-law No. L.S.P.-3249-28

**Historical Reasons**

The house is associated with Isaac Crouse (b.1824 in Westminster Township -d.1915). Crouse was descendant of United Empire Loyalist settlers from New Brunswick, who moved to Western Ontario in the 1820's. Like many pioneers Crouse had many occupations including being a farmer, millwright, bridge builder and land proprietor. It is his role as pioneer bridge builder that earned Crouse his notoriety. He is reported to have built almost all of London's original bridges. He helped construct the original Meadowlily Bridges, the present Blackfriars Bridge, the first dam at Springbank, and the Byron mill and dam. Crouse lived at 77 Price from 1904 to 1915.

**Architectural Reasons**

77 Price Street was built c.1885, a simple vernacular farmhouse once surrounded by several outbuildings. The two storey, white brick building has a large yellow brick front addition. The original slate roof remains on the front addition as do the paired eaves brackets. There is a verandah on the main house on the north and west elevation. The front facade has an ornate double window as well as paired wood front doors, both with coloured glass transoms. However, the original enclosed porch on the front entrance has been removed save for the support posts and roof.

The interior contains some very attractive plasterwork and wood trim in the double parlour. The plasterwork is very ornate with cove moulding, a floral band in relief over a recessed cove, and decorative strings. The decoration in the bay window is particularly attractive. There is a functioning period fireplace as well as original hand-grained trim throughout the two rooms. It is believed the ornamental plasterwork was by Henry Stratford who was a plasterer and first resident (1885-1898) of the house.



--	--

K. Gonyou

**APPENDIX C: Review of By-law No. L.S.P. -3249-28**

Review of cultural heritage value or interest of By-law No. L.S.P. -3249-28 using the mandated criteria of *Ontario Heritage Act* Regulation 9/06:

<b>Criteria</b>		<b>Review</b>	<b>Comment</b>
A property may be designated under Section 29 of the <i>Ontario Heritage Act</i> if it meets one or more of the following criteria for determining cultural heritage value or interest:			
1. The property has design value or physical value because it,	a. Is a rare, unique, representative or early example of a style, type, expression, material or construction method,	Architectural Reasons discuss the “farmhouse” which implies rarity as the property is now located within an urban context.  77 Price Street is representative of a vernacular farmhouse within this area of London. Heritage attributes identified within the designating by-law support 77 Price Street as a representative example of a circa-1885 vernacular farmhouse.	77 Price Street meets this criterion.
	b. Displays a high degree of craftsmanship or artistic merit, or	Interior plasterworks, noted within the Architectural Reasons in the By-law, are believed to have been completed by Henry Stratford, a plasterer and first resident of the house (1885-1898).	Photographs submitted by the property owner demonstrate the “high degree of craftsmanship or artistic merit” of the interior plasterworks.  77 Price Street meets this criterion.
	c. Demonstrates a high degree of technical or scientific achievement.	Not noted.	77 Price Street does not meet this criterion.
2. The property has historical value or associative value because it,	a. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	77 Price Street has direct associations with Henry Stratford (1885-1898) and Isaac Crouse (1904-1915).  Henry Stratford, plasterer, was the first occupant of the house and is believed to be responsible for the plaster ornamentation, which is noted within the “Architectural Reasons” of designating by-law.	77 Price Street demonstrates historical associations with Henry Stratford and Isaac Crouse.  While the significance of associations to Henry Stratford may be limited, this knowledge contributes to recognition of the high degree of

--	--

**K. Gonyou**

		<p>The designating by-law states the house is associated with Isaac Crouse, "pioneer bridge builder." He is significant to London through his role in constructing Meadowlily Bridge, Blackfriars Bridge, the first dam at Springbank, and the Byron Mill and dam. 77 Price Street, as a vernacular farmhouse with architectural detailing and refined ornamental plasterwork reflects the status achieved by Crouse at the culmination of his career.</p>	<p>craftsmanship or artistic merit in the ornamental plasterwork.</p> <p>Isaac Crouse lived at 77 Price Street from 1904 until his death in 1915. 77 Price Street has sufficient historical association with Isaac Crouse to merit designation.</p> <p>77 Price Street meets this criterion.</p>
	<p>b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or</p>	<p>Not noted in designating by-law.</p>	<p>77 Price Street does not meet this criterion.</p>
	<p>c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.</p>	<p>Original builder or architect not noted by designating by-law.</p>	<p>While Henry Stratford is noted as the first occupant of 77 Price Street, the designating by-law does not suggest he was the builder or architect. His contributions are noted above.</p> <p>77 Price Street does not meet this criterion.</p>
<p>3. The property has contextual value because it,</p>	<p>a. Is important in defining, maintaining or supporting the character of an area,</p>	<p>Not noted in designating by-law.</p>	<p>77 Price Street does not meet this criterion.</p> <p>77 Price Street is markedly different from adjacent properties.</p>
	<p>b. Is physically, functionally, visually, or historically linked to its surroundings, or,</p>	<p>Not noted in designating by-law.</p>	<p>77 Price Street does not meet this criterion.</p>
	<p>c. Is a landmark.</p>	<p>Not noted in designating by-law.</p>	<p>77 Price Street does not meet this criterion.</p>

--	--

**K. Gonyou**

			Contrasting to adjacent properties, 77 Price Street may be perceived to be a landmark within its local context.
--	--	--	---

Heritage attributes extracted from the designating by-law include:

- Historical associations with Isaac Crouse (occupant, 1904-1915), builder of many of London’s bridges, and Henry Stratford, plasterer (occupant, 1885-1898).
- Simple vernacular farmhouse;
- Two storey, white brick building with large yellow brick front addition;
- Original slate roof which remains on the front addition;
- Paired eaves brackets;
- Verandah on the north and west elevations of the main house;
- Ornate double window on the front façade with coloured glass transom;
- Paired front door with coloured glass transom;
- Interior plasterwork and wood trim in the double parlour, believed to have been installed by Henry Stratford; and,
- Functioning period fireplace and hand-grained trim throughout.