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J. Yanchula

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	REQUEST FOR DEMOLITION 505, 507 AND 511 TALBOT STREET 505 TALBOT STREET LIMITED PUBLIC PARTICIPATION MEETING MONDAY, JULY 20, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Manager of Urban Regeneration, with respect to the request for the demolition of the commercial buildings located at 505, 507 And 511 Talbot Street, that consideration of issuing notice of intent to designate the these properties under Section 29 of the *Ontario Heritage Act* **BE DEFERRED** in accordance with the July 13, 2015 request received from the applicant.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

The three properties subject of this report are on the west side of Talbot Street north of Dufferin Avenue. (Appendix 1) The existing buildings on these properties have been identified on the *Inventory of Heritage Resources*. 505 Talbot Street is Priority 1 in an "Italianate Influence" architectural style. The others are Priority 2 with 507 Talbot described in architectural style "Gothic Revival" and 511 Talbot as "Vernacular". More detail concerning the cultural heritage values and attributes will be contained in a future staff report.

A request for the demolition of these properties was made by the owner on June 30, 2015. A request for the demolition of listed properties must be resolved by Council within a 60 day period and provide for a public participation meeting and consultation with the London Advisory Committee on Heritage [LACH].

The owner is also the applicant of an amendment to the zoning by-law 9Z-8490) seeking permission, including bonusing provisions, to construct a 30-storey, 224 unit apartment building on the subject properties consolidated together with the abutting property at 94 Dufferin Avenue. Notice of this application was given on July 2, 2015.

Designation Under the *Ontario Heritage Act*

Should municipal Council wish to prevent the demolition of the house, its normal practice has been to issue a notice of its intent to designate under *Section 29* of the *Ontario Heritage Act*. A recommendation to designate under this section requires an analysis of the cultural heritage values and attributes as they relate to *Regulation 9/06* of the *Act*. This regulation establishes three broad criteria, any one of which, or a combination of which, may justify designation. With respect

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to this property, these cultural heritage values and attributes may be considered:

1. Design Values – Most of the architectural proportions of the original building remain visible and may be considered representative of vernacular expressions of earlier 20th century commercial “theme” architecture.
2. Historic Associations – City files contain no information on this attribute.
3. Contextual Values – the rural landscape that originally surrounded the building fronting onto a narrower highway is no longer present.

It is acknowledged that the *Inventory of Heritage Resources* (the Register) classifies the priority levels for these properties as follows:

Priority 1 buildings are London’s most important heritage structures and all merit designation under Part IV of the Ontario Heritage Act. They are worthy of protection through whatever incentives may be provided in terms of zoning, bonusing or financial advantage and may be designated without the owner’s consent. This group includes not only landmark buildings and buildings in pristine condition, but also lesser well-known structures with major architectural and/or historical significance and important structures that have been obscured by alterations which are reversible.

Priority 2 buildings merit evaluation for designation under Part IV of the Ontario Heritage Act or as part of a Heritage Conservation District designated under Part V of the Act, even though these builds are not often worthy of designation individually. They may have some important architectural features or historical associations, be part of a significant streetscape or provide an appropriate context for buildings of a higher priority.

LACH Consultation

Given the timing associated with the demolition request, this matter was proposed for the July 16, 2016 meeting of the LACH, so that a recommendation would be potentially available from that meeting to present at the July 20, 2015 meeting of the Planning & Environment Committee [PEC] and subsequently to Council for its July 28, 2015 meeting. At the time of the writing of this report, there was no scheduled LACH meeting for August 2015. After July, the next meeting of the PEC is scheduled for August 24th and its Report would appear on the September 1st scheduled Council meeting, 2 days after the 60-day period that the *Ontario Heritage Act* invokes for Council’s decision whether or not to issue notice of intent to designate properties listed on the Inventory.

On July 10, 2015 the owner notified staff of its interest in requesting that LACH hold an August meeting, because they felt it premature for the LACH hearing to be conducted until such time as City staff have been able to properly and thoroughly review the development [zoning by-law amendment] application so that all involved can have a full picture of what the various applications represent in their entirety. Staff are on track to provide a recommendation on the zoning by-law amendment application in a report to the August 24, 2015 PEC meeting. Following further discussions with staff, the owner clarified that their application for demolition be amended from June 30, 2015 to July 7, 2015 to allow Council a full 60 days prior to considering the application at the September 1st Council meeting. (Appendix 2)

Recommendation

Two pieces of legislation are applicable to these properties: the *Ontario Planning Act* regarding the zoning by-law amendment application, and the *Ontario Heritage Act* regarding the demolition application. The statutory timelines for Council to make decisions on these applications are best made together when with required LACH and public consultation can be both presented before Council at the same time. Staff support the request of the applicant to defer consideration of designating the properties subject of the demolition requests until they can be considered

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simultaneously with staff's recommendation on the zoning by-law amendment application.

PREPARED AND SUBMITTED BY:
JIM YANCHULA, MCIP, RPP MANAGER URBAN REGENERATION
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

July 13, 2015

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Attach: Appendix 1- Location map; Appendix 2- Applicant's letter

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Appendix 1- Location map



LOCATION MAP	LEGEND
Subject Site: 505 Talbot St Applicant: 505 Talbot Limited File Number: Z-8490 Planner: Jim Yanchula Created By: Jim Yanchula Date: 2015-06-22 Scale: 1:2500	<ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: small;"> Corporation of the City of London Prepared By: Planning and Development </div> <div style="font-size: 2em;">N</div> </div>	

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Appendix 2- Applicant's letter

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July 13, 2015

Attention: Mr. James Yanchula, Manager, Urban Regeneration
Mr. George Kotsifas, Chief Building Official

City of London Planning Services
206 Dundas St
London, Ontario N6A 1G7

City of London Development & Compliance Services
300 Dufferin Ave
London, Ontario N6A 4L9

Sent via email: jyanchul@london.ca; gkotsifa@London.ca

RE: Demolition applications for 505, 507 & 511 Talbot St

Please accept this letter and request on behalf of 505 Talbot Limited as the applicants of the above noted demolition applications. We are aware that our applications for demolition are scheduled to be discussed at a London Advisory Committee on Heritage (LACH) meeting on July 16th. As you may be aware, our applications for demolition have been submitted in conjunction with a rezoning application for these properties to permit a high rise condominium development. Due to the fact that our planning application for rezoning has not been fully reviewed by City staff, we feel it is premature for the LACH hearing to be conducted until such time as City staff have been able to properly and thoroughly review the development application so that all involved can have a full picture of what the various applications represent in their entirety.

We understand the staff report for the development application will be complete August 10th and the Planning and Environment Committee meeting for the development application is scheduled for August 24th. We therefore respectfully request a deferral of the LACH meeting to discuss our applications until a date following the finalization of the staff report so that all information pertinent to the proposed development and demolition applications is readily available. Accordingly, we are also requesting that our application for demolition be amended from June 30, 2015 to July 7, 2015 to allow Council a full 60 days prior to considering the application at the September 1st Council meeting.

We understand there is no LACH meeting currently scheduled for August however, if there were to be a LACH meeting scheduled in August on the customary second Wednesday of the month (or thereabouts), then that date would also fit within the timelines mentioned above.

Thank you and the members of LACH for your consideration of the above requests.

Regards,

Joe Carapella

President, 505 Talbot Limited d.b.a. Tricar Group

Cc: John Fleming (JmFlemin@london.ca)

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