



London  
CANADA

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

November 11, 2015

G. Kotsifas  
Managing Director, Development and Compliance Services & Chief Building Official

I hereby certify that the Municipal Council, at its meeting held on November 10, 2015 resolved:

7. That the following actions be taken with respect to the property located at 759 Elizabeth Street:
- a) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of this property and does not intend to issue a notice of intent to designate the property under Section 29 of the Ontario Heritage Act;
  - b) that NO ACTION be taken with respect to clause 14 of the 12th Report of the London Advisory Committee on Heritage; and,
  - c) photographic documentation of the interior and exterior of the subject building BE COMPLETED prior to any demolition activity, to ensure archival records exist to allow for future research;

it being noted that the Planning and Environment Committee reviewed and received the following communications, with respect to this matter:

- a communication, dated October 21, 2015, from K. Mckeown, 495 Lawson Road;
- a communication, dated October 20, 2015, from C. Duck, by e-mail;
- a communication, dated October 15, 2015, from S. Bentley, Heritage London Foundation;
- a communication, dated October 28, 2015, from M. Whalley, ACO London Region;
- a communication, dated October 20, 2015, from M. Hall, MW Hall Corporation; and,
- a communication from C. MacInnes, 578 Waterloo Street;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions in connection therewith. (2015-P10D) (AS AMENDED) (7/24/PEC)

C. Saunders  
City Clerk  
/jb

cc: K. McKeown, 495 Lawson Road, London, ON N6G 1Y1  
C. Duck, By E-mail  
S. Bentley, Heritage London Foundation, 101 Windermere Road, London, ON N6G 2J4  
M. Whalley, ACO London Region, 39-250 North Centre Road, London, ON N6G 5A4  
M. Hall, MW Hall Corporation, 11 Christie Street, Suite 304, Toronto, ON M6G 4C3  
C. MacInnes, 578 Waterloo Street, London, ON N6B 2P9

D. Partelas & C. Tsiropoulos, 305 Castlegrove Boulevard, London, ON N6G 3Z4  
J. Hunten, 253 Huron Street, London, ON N6A 2J8  
B. Vasquez, 416 English Street, London, ON N5W 3T5  
S. Alexiou, 1982 Ballymote Avenue, London, ON N5X 0J6  
A. Syrakos, 1123 Fogerty Street, London, ON N5X 4P3  
N.Z. Tausky, 1017 Western Road, London, ON N6G 1G5  
J. Tsiropoulos, 6 Parkside Crescent, London, ON N6C 5L8  
P. Tsiropoulos, 519 York Street, London, ON N6B 1R4  
J.M. Fleming, Managing Director, Planning and City Planner  
J. Yanchula, Manager, Urban Regeneration  
D. Menard, Heritage Planner  
K. Gonyou, Heritage Planner  
H. Tomlinson, Documentation Services Representative  
London Advisory Committee on Heritage

## PUBLIC PARTICIPATION MEETING COMMENTS

### 7. Property located at 759 Elizabeth Street - Request for Demolition

- Danny Partelas, co-owner – indicating that, after the London Advisory Committee on Heritage meeting, they realized that they were taking a big risk and went through the Ontario Directory of Heritage Consultants to find the most credible Consultant that they could; outlining that, if the Consultant had concurred with the Civic Administration's position on the heritage assessment of the property, they would be out of luck; wanting a chance to put their best foot forward into developing; advising that they did not want to be put in this position; advising that they had one condition when they purchased the property and that was that it was not a heritage property; advising that they contacted the City, their architect dealt with the City for three months after they purchased the property; reiterating that they do not want to be in this position; indicating that they found out about this when they went to get the demolition permit; introducing Mark Hall, MW Hall Corporation, whom they hired as their Heritage Consultant; indicating that he has a couple of questions from the London Advisory Committee on Heritage Report relating to the initials etched on a window pane may corroborate that it was present from 1875; advising that he is not sure what that means, to him there were initials on a window pane that they can date it back to 1875; and, advising that, to him, that is not facts to the date of the house that it is an etching that anyone could have done, the previous owner could have done it.
- Mark Hall, MW Hall Corporation, on behalf of the property owners - indicating that he is a licensed Architect, a professional Planner and he has been certified by the Canadian Association of Heritage Professionals for a number of years; indicating that he was asked by the property owners to have a look at the property located at 759 Elizabeth Street to determine whether it, in fact, is a heritage property worthy of designation; pointing out that he said to them, when he got the phone call, was that he needs to go inside and look at the building; noting that, from the outside it appears to be heritage but the only way you can really tell is to get into it and have a closer look at the way it was constructed as well as some of the research in terms of chain or property ownership and so on, which they had done; advising, as noted in his report, included on the Added Agenda, that, based on the site investigation and research, they concluded that the cultural heritage value of the property known as 759 Elizabeth Street does not merit designation as a historic property under the *Ontario Heritage Act*; indicating that many of the assumptions made in the staff report, which they were given a copy, are not factual, including the assumption that this is an early example of a Regency Cottage; noting that it has been renovated to appear to be a historic Regency cottage and these renovations have, in fact, been relatively recent; pointing out that it was mentioned that it is a three wythes brick bearing wall structure and when they went down into the basement there are three wythes for the foundation but, in fact, it is a two wythe brick; indicating that some of the more substantial buildings of the early nineteenth century would have been a three wythe brick structure; advising that there are two chimneys on the structure which would make it appear to be the symmetrical Regency cottage but, in fact, they are not functional fireplace chimneys; pointing out that the one on the south side is supported by wood structure in the basement with no foundation under it; pointing out that the one on the north, which is engaged with the foundation and has a proper foundation, was not built for a fireplace; indicating that it has a clean out in it and has an opening for a duct that went in for possibly a coal furnace or an oil furnace; indicating that it definitely does not go back to the early nineteenth century and, today, there is no fireplace connected with that at all; pointing out that there is a fireplace connected to the north but that fireplace is a relatively recent construction; pointing out that it was mentioned that, in terms of the research, the 1904 plan of part of the north half of Lot 12, of which this property is, showing the entire block bounded by Oxford Street, Elizabeth Street, Piccadilly Avenue, and Adelaide Street to be subdivided into individual house lots was service lanes; advising that this is the first time that there is a document, in 1904, that shows 759 Elizabeth Street on a survey plan as being the rectangular structure, 30

feet by 32 feet, 9.14 metres by 9.75 metres, straddling Lots 17 and 18; noting that this is one clue to the construction because it actually shows on a survey plan but that would belie the statement that it is early nineteenth century; noting that it is actually early twentieth century; indicating that the Regency style typically had a symmetrical floor plan, usually with a central hall; noting that when you come in from the front door there is a central hall and a stairway going up but this interior plan not like that at all; pointing out that you come in from the front door and there is a living room with a full fireplace on the south side and then it branches off to another room on the north side; kitchen on the right-hand side at the back of the building which is a brick structure, but that is a later addition; noting that there is no foundation under that portion of it; noting that it is probably one of the early additions to this building; pointing out that, to the left is a wood structure with some kind of siding on it and no foundation underneath it; indicating that this house has been renovated a number of times; realizing that the previous owners were enthusiastic about heritage in London and they made it look like a Regency cottage; noting that it fooled him at the beginning but when he went into the basement and looked at the structure, he determined that it is not an early nineteenth century Regency cottage; advising that the Regency style buildings typically had higher ceilings and were typically constructed by officers in the military, the British Army, at the time, on their lands and they would have been a grander kind of cottage rather than a modest type of farm building or a farm structure of some sort; indicating that it is not a grand Regency building; advising that Regency buildings typically had a verandah across the front; pointing out that this building has a verandah today, but that verandah is, in fact, built on reinforced concrete with light wood framing; noting that it is not in very good condition; advising that they were not able to tell whether or not it was connected to the building, but if you go into the basement, along that south side, there are basement windows along there which only give you a view from underneath that particular verandah; assuming that there was no verandah as the building was constructed; noting that it was clearly a later addition; reiterating that he mentioned the chimneys as part of the symmetry; advising that it is not symmetrical from the back but it is symmetrical from the main front door; pointing out that the chimneys were not part of the composition; referring to the chart that they typically prepare as part of their report and is included on the Planning and Environment Committee Added Agenda; pointing out that all of the criteria in the left hand column is under the *Ontario Heritage Act* as reasons why a building is designated; noting that the comments on the right they typically note the assessment findings of their investigations; pointing out that John Carling would not have lived in this building; advising that there were three or more surveys done as part of a land program, with lots being subdivided, etc., but it was not the Carling Cottage Estate; pointing out that the setting would be something where you might find a cottage but it was undeveloped land outside the purview of the City of London and it was seen by the owners, he contends, as development land as opposed to possibly not even farm ownership land but land that was possibly put out for tenant farms or something like that; pointing out that it was originally one hundred acres but then it went down to seventy-five acres and then it kept being chiseled off for development; and, concluding that, after this investigation, the building, while interesting looking, and with the vacant land remaining around it, is interesting, it is a faux example of a Regency cottage but not worthy of designation.

- Chris Tsiropoulos, co-owner – advising that they spoke with Civic Administration a fair amount; according to staff the house existed in the 1861 census that they have never received a copy of; pointing out that a lot of the maps that you find on the maps that have been provided in the staff presentation, he and Mr. Partelas provided; indicating that he is not saying that they did not do their research, they did, and so did we; advising that, if Charles Hendry owned seventy-five acres of land in London Township in that time period, without modern survey techniques, the structure in question could have been a kilometer away, it could have been two kilometers away, there is no guarantee to know that that particular structure that they are talking about in the 1861 census was present at that specific geographic plot of land; believing that Mr. Hall believes that it was built between 1880 and 1900; pointing out that the only map of that specific 32 by 32 structure ninety-six feet back from Elizabeth Street was found in 1904; pointing out that you see it on the fire insurance maps between 1892 and revised in 1907, you see it on

the London City Directory in 1908-1909, you see it on historical transaction record around that same time period; and, advising that this is what leads them to believe that this dates from the 1880 to 1900.

- Benjamin Vasquez, 416 English Street – indicating that it has been pointed out by several individuals that this is not an example of upper crust Regency architecture and that is very true; pointing out that this is a Vernacular building; pointing out that this is a building built by someone of limited means but it is an extraordinarily important link to the area's past; identifying that it is probably not older than Eldon House, the Court House or the many structures Downtown but even with the most conservative dates that he has heard for dating, this is probably the oldest building anywhere east of Adelaide Street; indicating that this is a structure of extraordinary interest; advising that it links the neighbourhood to its agricultural and rural past; indicating that this is typical of the kinds of structures that would have been built by early settlers who did not have vast swaths of resources to throw at their structures as they were cutting down bush and starting new farms; outlining that the thing that strikes him most about the property is how large it is and just how much opportunity there is for development around the structure; noting that he has heard talk about duplexes being on the property and there is more than enough room for duplexes on the property; advising that he does not want to be in a position where we are saying that heritage or development is a necessity because in any well-functioning or in any interesting city, we have to have heritage and development; and, advising that he thinks that this structure is well worth preserving in its current state.
- Janet Hunten, 253 Huron Street - advising that she is a member of the Stewardship Subcommittee of the London Advisory Committee on Heritage; indicating that she has spent a lot of time in the building at the earlier time when they examined it and around it; examining pictures and looking in the City directories for information; pointing out that because it was part of the county until London East became part of the City in 1885 it is very hard to find early information but they did find it on the 1904 plan as an existing building and all of the previous indications are that there was a building on the land for Mr. Henry and his family to live in; indicating that many of Mr. Hall's points are opinion, they are artistic judgements and from her side, the house is of value both culturally and historically; outlining that it is a remnant farm house and as such tells us a great deal about the history of that area; pointing out that it was on its hill twenty-five feet above the corner of Piccadilly Avenue and Adelaide Street so it had a wonderful outlook down towards the city when it was built and it was looking over farmland; expressing that we need to appreciate all of those points; and, advising that it is probably a late version of a Regency cottage and they do not pretend that it goes back to the 1820's because there is no evidence for that but there is evidence for a house pre-1860.
- Maggie Whalley, President, ACO London Region and also speaking as being a Heritage Consultant – noting that she does not have any qualifications as a Heritage Consultant but she has looked at lots of old buildings for many, many years; believing that this is a very old house; talking to Nancy Tausky, Heritage Consultant, who had the same reaction to this; indicating that sometimes it is really difficult that they are under pressure to give styles, to give categories to say Regency, Georgian, Italianate but we are now talking about vernacular architecture which Mr. Vasquez pointed out; advising that this was a pioneer farmer or his near descendants who built themselves a nice, small house; advising that it does look like a Regency cottage in many, many ways, but she would not want to say that is true; however, you do have to realize that we do not necessarily give labels to things; indicating that they have no suggestions that Mr. Carling lived in it, that he built it for himself; noting that he owned the land but he did not this house; pointing out that it is pioneer built and has been there a long time and has gone under many changes and restorations; noting that this is typical; pointing out the chimneys and saying there is no fireplace, there would not necessarily be a fireplace at that point, it would most likely be heated by a stove; advising that she does not believe that there has been enough persuadable reasons to say that this is not heritage; indicating that it is of a modest character, there is no doubt about that, that does not make it less valuable in her eyes; noting that, in a way, it makes it even more important; advising that it is important to look at these smaller structures, these vernacular buildings because they were a very big part of our history; noting that it was not just the grand mansions that we care about; pointing out that Eldon House has been compared in terms of time but that was a

completely different structure built by a completely different person of a completely different status; and, pointing out that it was suggested that it is not a landmark, she believes it is for the reasons that Mr. Vasquez pointed out, it is a landmark to our rural past as well as our city.

- Stephanie Alexiou, 1981 Ballymote Avenue – advising that it was previously stated that there is enough room to build duplexes and to keep this heritage property and she does not agree with that; pointing out that if they were to build a duplex, they would also have to keep the other building and that would become a liability; enquiring whether any of the Councillors have walked through the property; advising that she walked through the property and it is falling apart and she was afraid that she was going to fall through the floor; advising that she finds this so unfair to these two because they did their research, they had a clause in the sale saying that if it was heritage they would not purchase it; pointing out that they called the Planning office and were told that it was not heritage; wondering where the list is and why it is not public; trying to determine if there is a list that tells people that a house is designated heritage and another list that tells us houses that may be listed; expressing concern because if she buys a property and wants to develop it, as these guys have, how is she going to be sure that she is not going to run into this issue; enquiring if the Council decides to designate this home heritage, she assumes that these guys are just going to board it up and leave it there; asking what good does it do to London with it just sitting there, developing would bring so much money in; realizing that if she builds a home she has to put at least \$30,000 in licensing fees and assuming that a duplex is around \$85,000; expressing that she feels like these two are trying to bring money into the city and it is backwards and it is unfair.
- Antonio Syrakos, 1123 Fogerty Street – expressing that he really enjoyed the presentation that Mr. Hall gave to the Committee; indicating that he read the document that Mr. Hall created which shows that he has a Masters at Harvard as well as MIT; respecting everyone's opinion but he believes that Mr. Hall is the only one with his level of accreditation as well as expertise on this matter; pointing out that he is the only one who has provided factual proof that this is not a heritage building, all the other points presented are people's opinions based on oral history as well as hearsay; being a taxpayer he believes that we should clear up the red tape and bureaucracy that is tying up development; advising that he does not believe that the property should be designated; reiterating that subject matter experts have provided factual proof instead of oral history and hearsay as he has previously stated that does not meet the criteria to be considered heritage; requesting that the Committee take his opinion, as a taxpayer, into consideration as well as the only individual being accredited bringing factual information to the Committee.