

PUBLIC PARTICIPATION MEETING COMMENTS

7. Properties located at 175-183 King Street (Z-8523)
 - Alan R. Patton, Patton Cormier and Associates, on behalf of the owner – requesting that this matter be referred back to the Civic Administration for further consideration and discussion; indicating that the building is structurally unsound and unsafe; advising that the City has a report to that effect from a qualified engineering firm by the name of Van Boxmeer and Strange, a structural engineering firm in London; reading a portion of their letter dated June 24, 2015, "...the portion of the building closest to the street is a four storey load-bearing masonry structure measuring approximately ten metres deep in the north-south direction"; pointing out that ten metres is thirty-three feet; asking that the Planning and Environment Committee have regard with the depth that the City is trying to designate the property to with respect to the white, four storey building; *Note: Councillor P. Squire requests clarification from Mr. A.R. Patton as to whether he is referring to the same report that the Planning and Environment Committee has seen previously. Mr. Patton responds yes, that was the request to not designate the property*); advising that, since then, the staff have moved forward with a request for designation so if you have heard this already and can recall the opinion of van Boxmeer and Strange, that they indicate that they have identified a severe deficiency in the lateral load resisting system and adjacent buildings further to other deficiencies in the buildings, please find enclosed photographs showing masonry embedded with wood items with signs of severe rot as proof that wood elements referred in a previous report are prone to this type of damage; indicating that the report shows the extent of the deterioration; advising that the Chief Building Official, Mr. G. Kotsifas, issued an Unsafe Building Order and an Order to Make Safe and he said that, based on the Engineers report from van Boxmeer and Stranges, the building is in a condition that could be hazardous to the health and safety of person in the normal use of the buildings and persons outside of the building; outlining that that means people going inside the building whether they are City employees and inspectors or to pedestrians along King Street; stating that there is nothing to dispute this and that is why it has been appealed to the Ontario Municipal Board as is permitted under the *Act*; advising that the proposed heritage designation by the Municipal Council is inconsistent, in his opinion, with the City of London's past practices and standards with respect to Downtown development, both historically and recently; giving the Planning and Environment Committee four examples off of the top of his head, One London Place, the Sifton Properties Limited buildings at Queens Avenue and Wellington Road; noting that he remembers looking at it when he was employed by the City of London Legal Department and he could look out his office window on the tenth floor and see a stunning building; the former YMCA; noting that it suffered fire damage, it was not structurally unsound but it was demolished; pointing out that One London Place arose on the location; noting that what is there is a stunning building; pointing out that the second place is City Centre, not Downtown, but the City Centre complex; advising that it was the site of the famous Hotel London; indicating that his father, who grew up in Toronto, and travelled with Air Canada and CN Rail, when he was employed there, spoke of Hotel London as the best hotel in Canada outside of the Royal York Hotel; indicating that the City allowed Hotel London to be demolished, to be replaced by the City Centre; noting that there was no effort made to retain it; commenting on the Dufferin Corporate Centre on Dufferin Avenue, that was the site of historic buildings, the Latin Quarter; pointing out that under today's rules the Latin Quarter would have been designated or proposed for designation of the activities that went on in the Latin Quarter; advising that was a place where famous musicians played; commenting on City Hall and Centennial Hall, if you go back in time as he has done, there were historic large mansions on this property that were all torn down for City Hall and Centennial Hall; noting that he could go on about other locations; indicating that the fact of the matter is that cities are built and torn down and rebuilt and older buildings come down for newer developments that are consistent with the Provincial Policy Statement, consistent with the City of London Official Plan; giving the Planning and Environment Committee some more history; pointing out that this is his favourite history

lesson, from 1979 to 1990 City Council wanted the Dundas Streetscape retained, from Dundas Street all the way down to King Street; advising that Council, under the leadership of Mayor D. Haskett, wanted that streetscape retained; advising that Cambridge said no, they are not retaining that, we want it demolished and Cambridge brought forward reports that said that those buildings are structurally unsound and submitted Engineer's reports; pointing out that City Staff and City Council said no, it is not unsound, they can be retained and it is an historic streetscape; Cambridge said that it is not financially responsible or reasonable so the Talbot buildings were secured and left vacant and no development occurred along Talbot Street; indicating that he knows because, for a period of time, he acted for the Talbot Street Coalition and he was aware of all of those reports that said that this is not structurally sound; Cambridge then says, well look, if you are not going to let us build without preserving those buildings why do we not sell the entire properties, the Cambridge Block, sell it to the City and the City said ok, we will buy it; noting that he does not remember the price offhand but it was a pretty healthy number; so City staff and Council says well, what are we going to do here; noting that he remembers this as if it was yesterday; they said that they are going to build a downtown arena and entertainment centre and "we are going to incorporate the streetscape"; the City then discovers that those buildings are not structurally sound and you know exactly what the City of London built; they built, at great cost, the Budweiser Centre and the only thing that is retained on that streetscape, your historic streetscape, is a small amount of a poor replica of the Talbot Inn, that is it, that is the City's history, when it comes to the City's money; the façade is replicated, nothing else; so the City now has a new, modern, successful sports and entertainment venue; advising that City Council should be looking to achieve the same here, a successful Downtown office, commercial and residential development; indicating that Southside is similar but certainly not the same to what Fanshawe College is proposing on the old Kingsmill's building, but there are similarities; pointing out that Fanshawe College buys the Kingsmill's building stating, he listened, you heard it, Fanshawe College says we are going to save that building, well, you know, he can watch that out his office window every day and the latest news from Fanshawe College is that they cannot save that building; advising that Fanshawe College asked one of his clients who is an abutting landowner, we need to ask you to supply support from your building so that they can get retaining walls up; pointing out that that is what is going on, that is the high cost and reality of saving buildings that are not structurally sound and that is what you have here; telling you that Southside can do something here in the City of London and that is to replicate those buildings, not a pay stub but they could replicate the streetscape; advising that behind it and beside it, Southside Construction owns the vacant land; advising that what is going to be there, behind the façade, is a development from King Street through to York Street; reiterating that the City of London has done it themselves, so that is all they are asking for here is to send this back to staff for consultation regarding the entire planned development; pointing out that it is not unreasonable, it is fair, there is no reason to designate the property, to put the zoning on; indicating that if you do put it on, he can tell you that he will ask that it be hooked up with the refusal to designate which is awaiting scheduling at the Ontario Municipal Board so before you, before the Ontario Municipal Board, if you want a fast hearing on whether the building should be designated or demolished, you can do that but his client says that if you want a more reasonable approach is to refer it back and have some discussions that allow a structurally unsound building to be removed but the streetscape preserved in a sensitive way; *(Note: Councillor Hubert enquired about Mr. Patton's request to refer the matter back as there is a decided matter of the Municipal Council which was to deny the demolition, which Mr. Patton, on behalf of his client, has been appealed to the Ontario Municipal Board; enquiring as to why Mr. Patton is asking the Planning and Environment Committee refer this matter back for further discussion regarding demolition. Mr. Patton confirms that this is indeed correct. Councillor Hubert indicates that that would seem to be in conflict with a decided matter of Council and Mr. Patton has now taken it to another body and enquiring what good the referral would do. Mr. Patton responds that Southside would like more development rights than what are existing under the DA-1 Zone, they would like more height and density, they are planning a large, mixed use development with greater height and density than the existing zoning allows and there would be requests for bonusing in that, similar to requests for bonusing elsewhere in the Downtown. Mr. Patton indicates that they are working on*

that, that he has advised Southside that there will be certain holding provisions that will be required, reasonably anticipated, such as h-3 for a wind study, h-5 for public site plan approval, the long list of “h”s that you normally get in a Downtown development. The submission by staff to put the heritage zoning on is getting ahead of the application that is forthcoming from Southside. Southside, as you know, does not buy land to sit and hold on it; they are active developers and they are very keen on the Downtown which is why they bought this site and are looking to enlarge it if at all possible. Councillor Helmer enquires about the Make Safe Order that the Chief Building Official issued in May, 2015; noting that there was a compliance date for that order; enquiring as to whether or not the owner complied with the Order or if there are any outstanding items that have not been complied with. G. Kotsifas, Chief Building Official, responds that it is still outstanding, that the owners have not complied with to date. Mr. Patton responds that it has not been complied with because it has been appealed. Councillor Squire requests that matters go through the Chair in order to maintain order. Mr. Patton replies that the hearing date is a matter before the Ontario Municipal Board and the Board can schedule a date, but he has indicated that the preference is to wait for a zoning application to come forward from Southside so the two could be consolidated. Councillor Squire enquires as to whether the Appeal stays the Order by law. Mr. Patton responds that yes it does. Mr. Kotsifas, Chief Building Official, indicates that this should be discussed in camera).

- Maggie Whalley, Architectural Conservancy of Ontario (ACO) – commenting that she hopes that we have come a long way since some of the stories that they heard about some of the things that have happened in our city in the last thirty years; thinking that things have moved forward since those days; indicating that the ACO believes that it is very important that the Planning and Environment Committee supports this additional layer of heritage protection; advising that the buildings themselves are significant for their heritage architectural attributes that have been outlined in the report that the Planning and Environment Committee received as well as their historical importance; indicating that they are situated within a Downtown Heritage Conservation District and contribute to the streetscapes that enhance our historic core that, in itself, starts to tell London’s story and contributes to the distinctive character of our city; wondering why a purchaser would buy a building that they have formed the opinion of as being unsafe; noting that most people who purchase expensive real estate look into it before they purchase it; concluding that when this building was bought, they thought that they would pull it down; wondering why a Heritage Conservation District would be created if it is subject to death by a thousand cuts, so every time you create a Heritage Conservation District, you do expect it to offer a layer of protection; asking the Planning and Environment Committee to make every effort now that the Municipal Council has passed the Heritage Conservation District to make it work to everyone’s advantage; pointing out that it seems like saving the front third of the buildings and creating new height and breadth behind it is an ideal solution for infill in our city’s core in this special area; and, thinking that it would become an ideal model for intensification in these areas whilst preserving our city’s history and character.
- Janet Hunten, 253 Huron Street – advising that this is an opportunity to maintain the historic streetscape but build extensively behind; pointing out that you can see from the plan the very small amount, the double shaded part, that is affected by the HER Zone; calling to the Committee’s attention the success of the Armouries and the building that was built there behind the historic part of the building.
- George Georgopolous, 151 Pine Valley Boulevard - indicating that he was not prepared to speak today but he read about this in the newspaper; noting that it has been a long time since he has been in the Council Chambers; advising that he was involved with the Budweiser Gardens and it took them five years to put that deal together; noting that Mr. Patton already spoke to the Planning and Environment Committee about what happened with the façade, through the Tom Gosnell days and the Diane Haskett days and the Anne Marie DeCicco days; indicating that he is a member of the public, however, he did sell these properties to Southside; advising that he approached Southside on them; pointing out what used to be Jensen’s Guild House and next door to it was the International Cinema; noting that some of you will not remember but some of your parents would; advising that he sold that site in the early 1990’s to a developer who then leased that property to Metro Parking; noting that when they did that, they knocked the building down, they got a demolition permit, but if you go today, when you leave here tonight, tomorrow,

the next day, right along this building, you are going to see braces, six of them; pointing out that those braces had to be put up there back in the early 1990's in order to hold that building up at the expense of the person who bought that property; advising that he sold that property and it was owned by the people that owned another property; respecting what people from the Historical Society have said, not once has it been mentioned who owns that property or what that property was; noting that there was discussion about Hotel London, about the different heritage sites, the YMCA, this was the Fraser building and it is the Fraser building today at 183 King Street; pointing out that the Fraser family owned that building and, when he called them about selling it, they directed him to their lawyer, whom he met with and they bought both buildings together for \$750,000 back at that time; pointing out that they did not even apply for a demolition permit, but when they did, they said yes, go ahead, we need it; noting that the reason that they needed it was because the Muse was still there and there was not parking; advising that, at that time, Campo had started developing; noting that all of that parking that is there now was going to get filled in so they really needed parking; indicating that that is why these people bought it; indicating that those braces still exist today; reiterating that that was the Fraser building, after that it was Kelly's Boogie Parlour; pointing out that it is not accessible at all, you have to take stairs to it; advising that the next building, which is the blue building, is just a square building, there is no heritage factor to it at all and it was Collegiate Sports for many, many years; advising that he heard that the previous owner of this provided a ten page report as to why it was great; asking everyone to raise their hands if they have been in any of these buildings, inside the buildings; *(Note: Councillor Squire indicates that this is a Committee meeting and he appreciates that Mr. Georgopolous is providing the Committee with information but he would really like to focus on the issues at hand)*; indicating that the buildings are derelict, the people that sold them, the larger one, the Fraser Hotel, they were behind \$90,000 in taxes; advising that the other building, when the deal closed just recently there was more money owing on the building than the actual value was; looking at who is going to be controlling this site and he does not have to say very much more as Mr. Patton did say that, but he does, however, as a Londoner want to just get onto a couple of issues regarding this building; pointing out that, with respect to the Kingsmill's building, the City gave \$19,000,000 to it and we know what is happening there, the Budweiser Gardens, he was involved, was a \$48,000,000 deal, it was demolished on a weekend, nobody knew about it, the Normal School, we have to put \$12,000,000 in there; asking the Committee to remember that, at one point in time, Chair, there was a façade program in Downtown London; enquiring as to whether or not that façade program still exists; noting that Mr. Georgopolous was advised that it does still exist; indicating that he cannot speak on behalf of the owner and he is not trying to make a deal but he thinks that there is a deal; indicating that if you want to keep the front end of this property, he has already paid for it, he is going to put something up that is \$200,000,000; advising that it is needed, the Fanshawe College students have to have a place to live and we all are resorting to doing it smartly; pointing out that if the City says that we really want to keep this heritage because it was the Fraser Hotel and it meant so much and it was Collegiate Sports and it meant so much, then why does the City not contribute to a façade; noting that you can keep it, pay for the façade and let him do the development; pointing out that he does not know if Southside would accept something like that but he thinks that that would be a fair compromise; indicating that the City is doing it with everyone else and he would hate to see any discrimination from Kingsmill's, Budweiser Gardens or the Normal School; outlining that now you have someone who develops for Western University, Southside; *(Councillor Squire indicates, with all due respect, that Mr. Georgopolous is off track as this is not an opportunity for Mr. Georgopolous to stand and espouse on behalf of clients.)*; indicating that he, as a Londoner, thinks that it is a deal but he will not tell the Committee about it, but if you do go, on the date of closing, the properties, being as derelict as they are, there were people in there with crack, there are animals going through the site and he does not think that it is feasible to restore it.