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K. Gonyou

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	REQUEST FOR DEMOLITON BY: S. RANDHAWA 102 WHARNCLIFFE ROAD NORTH BLACKFRIARS/PETERSVILLE HERITAGE CONSERVATION DISTRICT PUBLIC PARTICIPATION MEETING ON JULY 18, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the application of S. Randhawa under section 42 of the *Ontario Heritage Act* to demolish the building located at 102 Wharncliffe Road North, within in the Blackfriars/Petersville Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

- a. The property owner obtain a Heritage Alteration Permit for an approved replacement structure that is compatible with the goals of the Blackfriars/Petersville Heritage Conservation District Plan prior to the initiation of the demolition permit;
- b. Documentation, including as-built drawings, property history, and photographs, be completed by the property owner prior to the initiation of demolition activities and submitted to the satisfaction of the Heritage Planner; and,
- c. The property owner be encouraged to salvage any reusable elements from the existing building.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended action would permit the demolition a property located within the Blackfriars/Petersville Heritage Conservation District (HCD), pursuant to section 42 of the *Ontario Heritage Act*.

BACKGROUND

102 Wharncliffe Road North is located within the Blackfriars/Petersville HCD, designated under Part V of the *Ontario Heritage Act*. The property is located on the west side of Wharncliffe Road North, on the southwest corner of Charles Street and Wharncliffe Road North (Appendix A).

A one-and-a-half storey frame building is located on the property (Appendix B). The building appears to have been constructed prior to 1900. The building is presently vacant.

Properties are identified as “contributing resource” or “non-contributing resource” to the cultural heritage value or interest of the Blackfriars/Petersville HCD; 102 Wharncliffe Road North is a contributing resource because it supports the identified cultural heritage values, character, and/or integrity of the Blackfriars/Petersville HCD.

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DEMOLITION REQUEST

A request for the demolition of the building located at 102 Wharncliffe Road North was received on June 20, 2016. The property owner provided a Structural Assessment Review for the building, which was referred to the Building Division.

Request for Demolition of a Property in a Heritage Conservation District

The *Ontario Heritage Act* directs that no owner of property situated within a designated Heritage Conservation District is permitted to demolish the property unless a permit is obtained from the municipality to do so. A request for the demolition of the subject property was submitted by the owner on June 20, 2015.

Regarding a demolition request for a property designated under Part V of the *Ontario Heritage Act* (located within a Heritage Conservation District), under s. 42 (4) of the *Ontario Heritage Act*, within 90 days after the notice of receipt is served on the applicant, Municipal Council may give the applicant,

- a) The permit applied for;
- b) Notice that Council is refusing the application for the permit; or
- c) The permit applied for, with terms and conditions attached.

If Municipal Council fails to do any of the things mentioned in subsection (4) within the 90 days (noted above), Municipal Council shall be deemed to have given the applicant the permit applied for. If Municipal Council refuses the permit applied for or gives the permit with terms and conditions attached, the owner of the property may appeal to the Ontario Municipal Board within thirty days of receiving notice of Municipal Council's decision.

The *Ontario Heritage Act* requires that Municipal Council consult with its municipal heritage committee, the LACH, when a request is received to demolish a heritage designated property.

The property owner seeks to establish a personal service establishment (spa) at the property. The Structural Assessment Review noted the existing building could not support the proposed use. Should the demolition be supported, a Heritage Alteration Permit application will be required to permit the erection of a new building on the property. The Heritage Alteration Permit application will be subject of a separate report to, and consultation with, the LACH.

ANALYSIS

Provincial Policy Statement

Section 2.6.1 of the *Provincial Policy Statement* (2014) directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved." Properties included in the Blackfriars/Petersville HCD are considered to be significant within that context. "Conserved" is defined in the *Provincial Policy Statement* (2014) as "the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*."

Strategic Plan

The Strategic Plan for the City of London 2015-2019 identifies heritage conservation as an integral part of "Building a Sustainable City."

Official Plan

London's *Official Plan* policy 13.3.2 requires that "after a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the *Ontario Heritage Act* and any secondary plan which takes the form of a Heritage Conservation District Plan."

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Blackfriars/Petersville HCD Plan & Guidelines

Demolition of contributing resources within the Blackfriars/Petersville HCD is strongly discouraged. One of the goals of the *Blackfriars/Petersville HCD Plan & Guidelines* is “avoiding unnecessary demolition and inappropriate alterations to identified heritage resources that contribute to the heritage value of the district.” Further, “the demolition of a contributing resource should be considered the last option, and only conceivable following the consideration of all other options to the satisfaction of the Heritage Planner” (Section 7.5).

The Blackfriars/Petersville HCD Plan & Guidelines provides policies to analyse a request for the demolition of a contributing resources.

Section 7.5 Demolition of Contributing Resources	
Policy	Analysis
c) The demolition or relocation of contributing resources within Blackfriars/Petersville HCD is strongly discouraged and will only be permitted in exceptional circumstances;	The demolition of a contributing resource is discouraged.
d) All options for on-site retention of contributing resources must be exhausted before resorting to relocation or demolition. The following alternatives must be given due consideration in order of priority: i) On-site retention in the original use and integration with the surroundings; ii) On-site retention in an adaptive reuse; iii) Relocation to another site within the HCD; iv) Relocation to another site within the City.	The condition of the existing structure does not render it suitable for retention and impractical for relocation.
e) In the event that demolition, relocation or irrevocable damage to a contributing resource is unavoidable as determined by Council, thorough archival documentation is required to be undertaken by the proponent and made available to the City for archival purposes	Documentation of the existing structure is recommended.
f) The above-noted archival documentation must be prepared by a qualified heritage architect or built heritage specialist and include at least the following as appropriate, or additional matters as specified by the City: i) Architectural measured drawings; ii) Land use history; iii) Photographs, maps and other available materials about the cultural heritage resource in its surrounding context.	The recommended documentation should include as-built drawings, property history, and photographs.
g) Any proposal to demolish or relocate a contributing resource, or portion thereof, located within the Blackfriars/Petersville HCD shall require the approval of Council;	Municipal Council must approve any request for a demolition to a heritage designated property.
h) The proponent of any proposal to demolish or relocate a contributing resource, or portion thereof, located within the Blackfriars/Petersville HCD shall be required to provide supporting evidence and documentation demonstrating the necessity of demolition, as well as the exploration of all other, more desirable conservation approaches to the satisfaction of the City’s Heritage Planner. This may take the form of a Heritage Impact Assessment and/or Demolition Plan.	The property owner provided a Structural Assessment Review of the existing building located at 102 Wharnccliffe Road North.
i) Salvage or reclamation of materials from a	Salvage is encouraged.

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demolished contributing resource is encouraged.	
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Based on the information submitted as part of the Structural Assessment Review, the condition of the existing building does not meet the requirements for its proposed use. It is not a suitable candidate for adaptive reuse.

The LACH was consulted on the demolition request for 102 Wharncliffe Road North at its meeting held on July 6, 2016. The LACH supported the staff recommendation.

CONCLUSION

Demolition within any of London’s Heritage Conservation Districts is discouraged. However, there are limited circumstances where demolition may be permitted. The Structural Assessment Review submitted by the property owner demonstrates that adaptive reuse of the existing building is not feasible. Therefore the demolition of the existing building is required to accommodate the proposed use for this property.

Prior to its demolition, the existing building should be documented with as-built drawings, property history, and photographs to contribute to the archival record for the property. A Heritage Alteration Permit is required for the erection of a new building on the property within the Blackfriars/Petersville HCD and must be obtained prior to the initiation of a demolition permit.

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

2016-07-07

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Attach:

Appendix A: Property Location

Appendix B: Property Photographs

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APPENDIX A: Property Location – 102 Wharnccliffe Road North



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APPENDIX B: Property Photographs – 102 Wharncliffe Road North



Image 1: Main (east) façade of 102 Wharncliffe Road North.



Image 2: North façade of 102 Wharncliffe Road North.