

## PUBLIC PARTICIPATION MEETING COMMENTS

9. Properties located at 479-485, 487 and 489 Talbot Street by Rygar Properties Inc.
- *(Councillor Helmer enquires about, under the Ontario Heritage Act, it is possible for the Municipal Council to consider the demolition of a designated property.)* J. Yanchula, Manager, Urban Regeneration, responds that that is correct, even if it is a designated property.
  - Benjamin Vasquez, 11-416 English Street – feeling that everything that needs to be said about this property has already been said; thinking that this is a development that the Committee is getting sick of hearing about and the people in the Gallery are getting sick of talking about it; pointing out that this is really an extraordinary. important property as this is reminiscent of Samuel Peters, London's first architect; stating that this is one of a very few surviving Victorian terraces in the city and this is a property that needs to be incorporated into the development in a more effective fashion; indicating that he does not think that anyone in the Gallery is opposed to the development in some form; indeed, he thinks that extra density for the Downtown is an extraordinary, valuable thing and most of the parts of what we are looking at here, most of them, himself most especially, are extraordinary, excited about but they feel that it would be possible to incorporate heritage better into the development that is being proposed and they feel that the value of the structure that they are looking at here is sufficiently great to encourage the designate the property as a heritage property now and alterations to be made to it through Heritage Alteration Permits as the opportunity arises.
  - Sandra Miller, 32 Upper Avenue – wishing everyone a happy World Architecture Day; reiterating what Mr. Vasquez said, she is not going to get into details about the value of this property as she thinks that they have all read and seen and heard a lot about the heritage value; expressing serious concerns about this proposed demolition; noting that she would really like to see it not go through at all; expressing excitement about the potential for development in the Downtown as there are so many empty lots just begging for development including the back part of this lot; believing that a lot of the original part of this building could be incorporated into a new high rise or mid-rise; expressing serious concern that this designation was not addressed thirteen months ago when it first came down; indicating that, as the Committee knows, the London Advisory Committee on Heritage recommendation, there was not even talk of demolition at the time and it came down as a stand-alone recommendation for designation; noting that this property has been on the Inventory of Heritage Resources (Register) for some time; stating that the recommendation should have been addressed; noting that heritage designation requests and designations, in her opinion as well as most people in the heritage community and a lot of individuals, would say that heritage recommendations should be addressed on their own as a stand-alone issue; suggesting that we have gotten into a habit and she knows that it has not come from this Council individually, it has become a precedent, and she is not sure if there is a feeling that it helps to have them both on the table, a development proposal and a heritage recommendation at the same time as there may be a feeling that having them as part of the same conversation helps to bring together a better proposal in the end; feeling that they end up, inevitably, in a divide and conquer scenario; realizing that we live in a culture where it is hard to incentivize things like heritage value, etc., the nuanced case where every heritage property and every heritage designation is going to be a different scenario; talking about development and heritage on the same table is a nice thought but she thinks that inevitably it boils down to a heritage versus development, much to the delight of their colleagues in the media who do like to use that analogy, much to the frustration of many of them who try to present a more nuanced discussion; thinking that it does not serve London or Londoners very well because they end up, unfortunately, right back in these scenarios where the Council is in the unfortunate decision making process where they have to choose between one or the other and she does not think that we need to be in that position; requesting that Camden Terrace and the properties located at 93 and 95 Dufferin Avenue be designated; indicating that, for future reference, she would really strongly urge that heritage issues be addressed on their own as individual

properties, assessed on their own values as they should be as opposed to compared to a proposed development of hundreds of millions of dollars because, inevitably, heritage seems to lose out; advising that she is not sure why, it may be partly because the City is also partly responsible for allowing these properties to deteriorate; noting that Camden Terrace is not alone, there is certainly a number of heritage listed and designated properties across the city that are in not great condition, they are “technically” protected by they are not actively protected; stating that if the owners do not want to take care of them, they fall into deterioration over a period of many, many years that this is not a short-term one-off occurrence; hoping that the Committee will take this into consideration for future scenarios.

- Kelly McKeeting, 329 Victoria Street – advising that her house is now in the heritage designation process, as is the income property that she and her husband own; starting by stating the obvious, Camden Terrace did not wake up one morning, stretch a little bit and say that I think I am going to grow some mold this morning and while I am at it, I am going to crack my foundation; indicating that the building did not deteriorate itself, owners, both recent owners and owners over the last few decades allowed it to deteriorate; stating that, in granting this demolition permit, as she expects that the Committee will, they are going to be rewarding the developer for his neglect of a heritage property that has been listed as a Priority 1 in the City of London Inventory of Heritage Resources since 1991; advising that the developer is not paying any sort of a price for allowing the building to deteriorate; stating that she is quite certain that it is highly probable that, had the City said ok, we are going to not designate the building and we are going to let you demolish this so that you can build exactly the building you want with absolutely no constraints, but instead of kicking in \$250,000 to the public art program, it is going to have to be \$1.25 Million to the public art program, she thinks that all of a sudden the experts would have said, “oh gee, the foundation is not really as bad as we thought it was, we have taken another look, the soil contamination guy would have said oh, we have taken some additional samples, this is not really quite as bad,” and all of a sudden the building would have been preserved, it would have been included in the development; noting that they are never going to know whether she is right or not but she is pretty sure that she is right; advising that, for the record, in terms of learning lessons from this, she would like to read a little bit from the e-mail that she sent to the Councillors late last night “The developer is certainly not the only one to blame as we look to how we got to this unfortunate place. City staff, with respect, failed dismally in enforcing the City’s own Property Standards By-laws despite being made aware, on a regular basis for more than two years, that the property was being neglected and being permitted to deteriorate. Vacant properties should be heated during the winter. Vacant properties should be secured against intruders and the weather. If a property owner is not willing to take those basic steps then the City should do it for them without delay. Ask once, do not ask four times, do not ask twenty times. If the property owner will not reimburse the City for the related costs, then the property should be expropriated and sold to someone who is willing to take better care of our heritage resources. Starting today, she would like to see the City take a more proactive stance against neglect of its heritage structures. As a taxpayer, business owner and resident of the city, she expects better than what has happened here. She would like the City to take an active, assertive stance in the protection of the heritage resources that make London a pleasant place to live, work and play in. I would like the City to begin an aggressive program to designate, with or without the owner’s consent, all of the Priority 1 properties in the Heritage Inventory as promptly as can be managed and once that is done, I would like the City to move onto the Priority 2 properties. London should only accept the highest standard of development in its urban corridors and that necessarily includes the preservation and incorporation of heritage structures which does appear to occur routinely in other cities.”; advising that she was in Toronto last week at a conference, walking along the street, she was not taking detours, she was not looking and in front of her there was a sign saying that they are going to rezone, put in a 57-storey building and the heritage building currently on the site will be largely retained; advising that, on the rest of her walk she looked around and saw another couple of developments; noting that they are not high profile, they are not like the ones that the Committee heard about last month but this is the way that things seem to get done very routinely in other cities; stating that she would like the way of approaching these things to change in the City of London; reminding Council and City staff that experts

retained by a developer do have a vested interest and there is a very sad lesson from Elliott Lake, where a structural engineer told his client what the client wanted to hear and two people died; pointing out that no one is going to die here but she thinks that we all need to recognize that experts may not be independent, they may not be unbiased and she would have liked to have seen both City staff and Council be more skeptical of the information that was provided to them; pointing out that, to be fair, what she heard from City staff at the Planning and Environment Committee on September 6, 2016 and then at the September 13, 2016, Municipal Council meeting, was that Camden Terrace was repairable and that City staff was not planning to order a demolition; noting that, Council did accept Rygar's contention that the building was not repairable or that it was too expensive to repair; indicating that, when asked by Councillors, what she heard staff say, to paraphrase them, was we have no reason to disbelieve the opinions of Rygar's experts but we have not conducted an independent assessment of the building or the site; stating that is a far cry from we agree with what Rygar's experts have to say but she thinks that, unfortunately, many Councillors heard the latter and not the former; reiterating what S. Miller said that this is not an either or question, those of us that have advocated for the preservation of Camden Terrace have been nearly unanimous in advocating for its inclusion in the development; outlining that this would have made the development more appealing to those who will live and work in it and to those who will have to look at it every day when they go out and about their business Downtown; thinking that inclusion probably would have made the development more profitable to the proponent, only the proponent sadly lacking a design imagination saw Camden Terrace as a hindrance rather than an opportunity; asking that, next time, please do not let a developers lack of imagination win over the best interests of Londoners.

- Mark Tovey, 205 Sydenham Street – indicating that much of the discussion at the September 6, 2016 Planning and Environment Committee hinged on the condition of Camden Terrace and as a consideration of condition, there seems to be broad agreement that Camden Terrace merits designation under Part IV of the *Ontario Heritage Act*; stating that, also at the Planning and Environment Committee meeting of September 6, 2016, as he understood it, staff from Property Standards confirmed, in response to an enquiry from a Councillor, that Camden Terrace could be demolished but also could be repaired; indicating that the tests documented in the Environmental Report were not performed under Camden Terrace itself; pointing out that, as he reads it, there are no environmental tests that confirm that the area below Camden Terrace requires remediation; indicating that Part IV of the *Ontario Heritage Act*, states that designation is based on physical design value, historical associative value and contextual value; stating that, under the *Ontario Heritage Act*, building condition is not a criterion for designation; encouraging the Planning and Environment Committee to designate Camden Terrace and make necessary alterations to Camden Terrace through the Heritage Alteration Permit process.
- Janet Hunten, 253 Huron Street – urging designation at this time so that Council will have some control over the future; indicating that there was a great deal of talk years ago about demolition permits not being granted until site plan approval had been achieved and this was to avoid the proliferation of parking lots in the Downtown area; looking at a project that will take a minimum of seven years to complete according to the developers own prospectus and they would like to see control here until such time as shovels go into the ground; advising that partial demolition is not being opposed of the back part of this property; stating that they are looking to preserve the main front area which is the streetscape part; talking about contamination, the nearest bore hole on the reports was more than thirty feet from any corner of the building and the much talked about foundries, gas stations and dry cleaners that were on Fullarton Street; noting that the dry cleaner was across from the Baptist Church further north on Talbot Street so they do not expect to see those contaminating this site which was built on virgin ground; stating that City directories tell us that there were no buildings on this site before the Camden Terrace buildings so the contamination fill is not where these buildings are located, it is under the parking lots at the back; indicating that those of us that admire these buildings can envision a façade that is partly glass and is partly the human scale of these buildings to contrast with the glass on the other side of the street and that could be accomplished through integrating these buildings with the future façade.