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TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE MEETING ON MONDAY JULY 17, 2017
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	REQUEST FOR DESIGNATION HERITAGE LISTED PROPERTY AT 93-95 DUFFERIN AVENUE BY: CITY OF LONDON

RECOMMENDATION

That, consistent with direction of Municipal Council given on September 13, 2016, with the advice of Planning Services, this report **BE RECEIVED** and that notice **BE GIVEN** under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of Municipal Council's intent to designate properties located at 93-95 Dufferin Avenue to be of cultural heritage value or interest for the reasons outlined in Appendix D of this report.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The effect of the recommended action is to designate 93-95 Dufferin Avenue under Section 29 of the *Ontario Heritage Act* to be of cultural heritage value or interest.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- September 6, 2016 — Report to Planning & Environment Committee – 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue PPM (Z-8617).
- September 21, 2015 — Report to Planning and Environment Committee – 11th Report of the London Advisory Committee on Heritage (LACH).

BACKGROUND

Location

93-95 Dufferin Avenue is located on the south side of Dufferin Avenue (formerly Maple Street/Hitchcock Street) between Talbot Street and Ridout Street in London, Ontario (Appendix A).

Property

The double house located on the property was primarily constructed in two phases, but maintains cohesion across its two parts. The first, 93 Dufferin Avenue, was constructed

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circa 1864, as the home of Samuel Peters. 95 Dufferin Avenue was added in 1894 (Appendix B).

The properties have been included on the *Inventory of Heritage Resources* since 1991 as a Priority 1 (95 Dufferin) and 2 (93 Dufferin) resource. The cultural heritage value of 93-95 Dufferin Avenue has long been recognized and celebrated by Londoners. The property has been a feature of the 1988 and 2010 Architectural Conservancy of Ontario – London Region *Geranium Walk* heritage educational tours.

Description

93-95 Dufferin Avenue is believed to have been designed by London architect, surveyor and engineer — Samuel Peters (1822-1882). He was a notable Londoner for his contributions to the early development of the City particularly through his role as Town, then City Engineer, and for significant City landmarks attributed to his design. A gradual stylistic evolution is evident across the façade from 93 to 95 Dufferin Avenue; from the Italianate style — depicted in 93 Dufferin’s shallow hipped roof, supported by paired brackets, and the balanced architectural proportions in the three bays of the street-facing façade — to the Classical Revival style of 95 Dufferin expressed as a ‘temple front’ form with a pedimented gable roof facing the street. 93-95 Dufferin Avenue contributes to the history of the Talbot North area which quickly became London’s first suburban area outside of the City-proper. The form and style of 93-95 Dufferin Avenue reflects the social status afforded to individuals who chose to settle in the Talbot North area (Appendix B).

93-95 Dufferin Avenue, combined with properties at 100 Fullarton Street and 475-501 Talbot Street, is the site of a comprehensive, phased redevelopment project by Rygar Properties Inc. which received Municipal Council zoning approval at its meeting held on September 13, 2016. The project is for a commercial-residential (1,670m² street-level commercial space and 703 apartment units) point tower development type with a 9-storey podium and two towers of 29 and 38 storeys (Appendix C). The proposed redevelopment is facilitated through a site-specific bonus zone which allows for an increased density and height with the property owner entering into an agreement with the City of London which secures a range of matters outlined in the amending Zoning By-law Z.-1-162518. Pertinent to this report are the following matters:

- 3. *Heritage Conservation (93-95 Dufferin Avenue)*

The significant attributes of the built heritage resource located at 93 and 95 Dufferin Avenue shall be conserved in the following manner:

- a. *The designation of heritage attributes (generally associated with the northerly and westerly facades) of the original building under Part IV of the Ontario Heritage Act.*
- b. *The complete retention, in-situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment.*
- c. *The incorporation of significant heritage attributes of the original building, including the northern and western facades in situ, into the overall design of Phase 3 of the new development as is depicted in attached Schedule "1" to the amending by-law.*

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POLICY REVIEW

Provincial Policy Statement

The *Provincial Policy Statement* (2014), issued pursuant to Section 3 of the *Planning Act*, provides policy direction of matters of provincial interest related to land use planning and development. Section 2(d) of the *Planning Act* identifies “the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest” as matters of provincial interest. The *Planning Act* requires that all decisions affecting land use planning matters “shall be consistent with” the *Provincial Policy Statement*.

Provincial Policy Statement 2.6.1 states that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

Official Plan

Chapter 13 of the *Official Plan* (1989, as amended) includes the objective to “protect in accordance with Provincial policy those heritage resources which contribute to the identity and character of the City.” Policies support the designation of properties under the *Ontario Heritage Act*.

The protection of our cultural heritage resources is one of the strategic directions (Direction #7-5) of *The London Plan* (2016, draft). Policies of the Cultural Heritage section of the City Building Policies support the identification and conservation of cultural heritage resources using the policy tools of *The London Plan* and the *Ontario Heritage Act*.

Strategic Plan

The *Strategic Plan for the City of London 2015-2019* identifies heritage conservation an integral part of Building a Sustainable City. The recommended action supports the following strategic area of focus:

- Building a Sustainable City
 - Heritage conservation – Protect and celebrate London’s heritage for current and future generations (6.B)

CULTURAL HERITAGE EVALUATION

93-95 Dufferin Avenue was evaluated using the mandated criteria of *Ontario Heritage Act* Regulation 9/06. Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are:

- i. Physical or design value;
- ii. Historical or associative value; and/or,
- iii. Contextual value.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Therefore, an evaluation to determine the cultural heritage value or interest of 93-95 Dufferin Avenue is required to ascertain the property’s eligibility for designation. A summary of the evaluation can be found below:

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Criteria for Determining Cultural Heritage Value or Interest		
Criteria		Evaluation
The property has design value or physical value because it,	Is a rare, unique, representative or early example of a style, type, expression, material, or construction method	<ul style="list-style-type: none"> Stylistic evolution seen across its façades, representative of Italianate and Classical Revival
	Displays a high degree of craftsmanship or artistic merit	<ul style="list-style-type: none"> Believed to be the design of Samuel Peters
	Demonstrates a high degree of technical or scientific achievement	<ul style="list-style-type: none"> Not known
The property has historical value or associative value because it,	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	<ul style="list-style-type: none"> Samuel Peters – property owner and believed to be the designer of 93 Dufferin Avenue Colonel John Walker Mrs. Laura (Hespler) Walker
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	<ul style="list-style-type: none"> Not known
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	<ul style="list-style-type: none"> Samuel Peters – property owner and believed to be the designer of 93 Dufferin Avenue
The property has contextual value because it,	Is important in defining, maintaining, or supporting the character of an area	<ul style="list-style-type: none"> Historical and contextual values rooted in its location in London
	Is physically, functionally, visually, or historically linked to its surroundings	<ul style="list-style-type: none"> London’s first suburb; part of the transition to more residential uses Form and style of 93-95 Dufferin Avenue reflect the social status afforded to individuals who chose to settle in the Talbot North area
	Is a landmark	<ul style="list-style-type: none"> Not known

The evaluation found that 93-95 Dufferin Avenue is a significant cultural heritage resource that meets the criteria for designation under the *Ontario Heritage Act* for its physical/design values, historical/associative values, and contextual values. A Statement of Cultural Heritage Value or Interest has been prepared (Appendix D), with heritage attributes visually described in (Appendix D1).

Note that heritage attributes identified in the attached Statement of Cultural Heritage Value or Interest correlate with those attributes to be retained through the bonus zone as depicted in Schedule “1” of amending Zoning By-law Z.-1-162518.

Consultation

At its meeting on September 9, 2015, the LACH recommended designation of 93-95 Dufferin Avenue under the *Ontario Heritage Act*, which was also included in its report to the Planning and Environment Committee on September 21, 2015. A subsequent resolution of the LACH (July 6, 2016) was presented in a report to the Planning and

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Environment Committee on July 18, 2016, which reiterated its previous recommendation that Council pursue designation of 93-95 Dufferin Avenue.

CONCLUSION

93-95 Dufferin Avenue is a significant cultural heritage resource in the City of London and should be protected under Section 29 of the *Ontario Heritage Act* based on the Statement of Cultural Heritage Value or Interest in Appendix D of this report.

Should Municipal Council issue Notice of Intention to Designate 93-95 Dufferin Avenue under Section 29 of the *Ontario Heritage Act* the designation of the property may be appealed to the Conservation Review Board within thirty days of the publication of the notice. The Conservation Review Board will review the appeal, and make a recommendation to Municipal Council. Ultimately, Municipal Council makes the decision regarding the designation of any property under Section 29 of the *Ontario Heritage Act*.

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

2017-06-29
jy/

Attach:

- Appendix A: Location Plan
- Appendix B: Images
- Appendix C: Pertinent Renderings Showing North and West Façades of 93-95 Dufferin Avenue as Depicted in Schedule "1" of Zoning By-law Z.-1-162518.
- Appendix D: Statement of Cultural Heritage Value or Interest for 93-95 Dufferin Avenue
- Appendix D1: Figures of Heritage Attributes

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REFERENCES

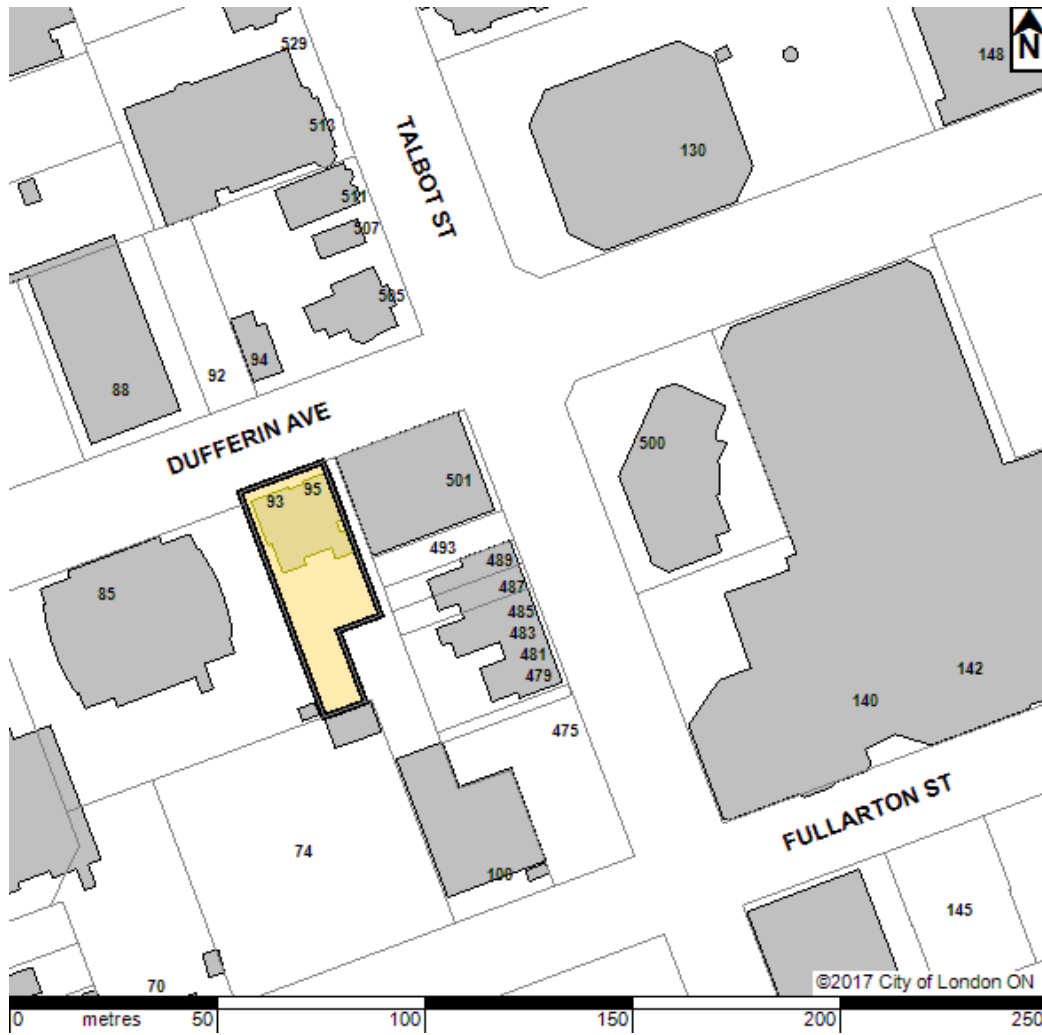
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APPENDIX A — Location Plan



Map 1: Property location of 93-95 Dufferin Avenue

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APPENDIX B — Images

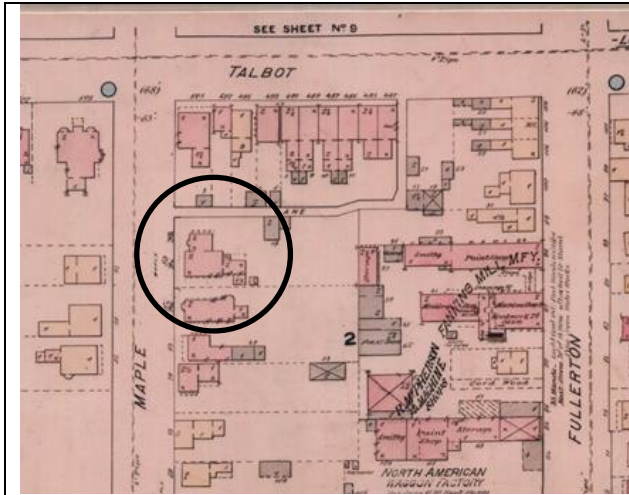


Image 1: Insurance plan showing 93 Dufferin Avenue (1881 rev 1888)

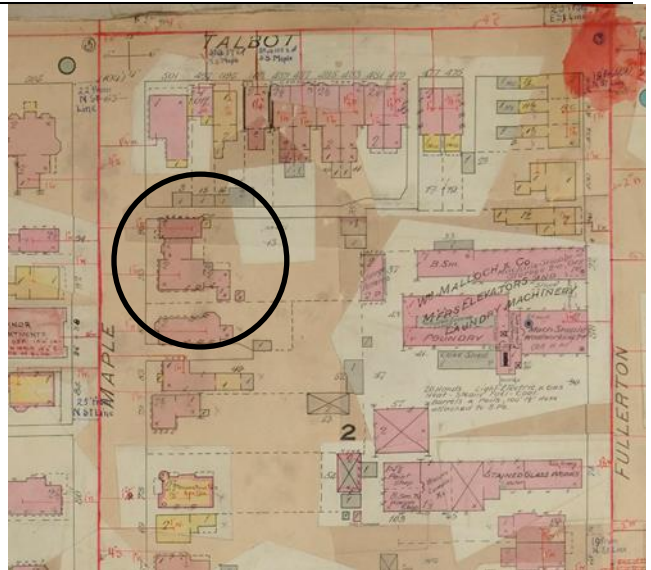


Image 2: Insurance plan showing 93 and 95 Dufferin Avenue (1892 rev 1901)



Image 3: North-west facades of 93-95 Dufferin Avenue (date unknown)



Image 4: North façade of 93-95 Dufferin Avenue showing "double house" composition (April 2015)



Image 5: North façade showing detailed covered entrance and door detailing, 93 Dufferin Avenue (April 2015)



Image 6: North façade detail of soffit, 95 Dufferin Avenue (April 2015)

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APPENDIX C — Pertinent Renderings Showing North and West Façades of 93-95 Dufferin Avenue as Depicted in Schedule “1” of the Amending Zoning By-law Appended to the Staff Report Dated September 6, 2016



Rendering: Looking Southeast toward Dufferin Street Building Facade



Rendering: Looking Southeast toward Dufferin Street Building Facade

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Rendering: Looking Southeast toward Dufferin Street and Rear Building Facade



Rendering: Looking East toward Rear (west) Building Facade

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APPENDIX D — Statement of Cultural Heritage Value or Interest

Legal Description of Property

93-95 Dufferin Avenue: PLAN 61 PT LOT 3 PT LOT 4 RP 33R3977 PART 1 & RP 33R7012 PT PART 1 69.91X129.33X189.31XIRR 11217.00SF 69.91FR

Roll Number

93-95 Dufferin Avenue: 010030049000000

Description of Property

93-95 Dufferin Avenue is located on the south side of Dufferin Avenue (formerly Maple Street/Hitchcock Street) between Talbot Street and Ridout Street in London, Ontario. The double house located on the property was primarily constructed in two phases, but maintains cohesion across its two parts. The first, 93 Dufferin Avenue, was constructed circa 1864, as the home of Samuel Peters. 95 Dufferin Avenue was added in 1894.

Statement of Cultural Heritage Value or Interest

93-95 Dufferin Avenue is of cultural heritage value or interest because of its physical or design values, historical or associative values, and its contextual values.

Physical/Design Values

The physical or design value of 93-95 Dufferin Avenue is derived from the particular stylistic evolution seen across its façade.

Believed to have been designed by Samuel Peters of S. Peters and Sons in circa 1864, 93 Dufferin Avenue demonstrates the Italianate style in its shallow hipped roof, paired eave brackets, and balanced horizontal proportions, as well as robust lugsills and lintels with a gentle peak. Brickwork detailing, including quoining, the plain frieze, and stringcourse, complement the appearance. The wide, single leaf entry door in the east bay of the lower storey features a rounded arch fan light articulated by wooden fluted pilasters and trim detail. A flat roof porch supported by square columns on plinths covers the doorway. A double-storey bay window is located between 93 and 95 Dufferin Avenue, acting as a bridge between the two units.

Added in 1894, 95 Dufferin Avenue replicates many of the architectural details of 93 Dufferin Avenue however it takes a stronger Classical Revival influence, particularly in its temple front form. Additional Classical Revival elements include the oval window with a robust architrave, keystone and blocks located above the entry doorway, as well as the round window set in the pediment that is surrounded by a laurel wreath. Brickwork detailing, window sills and lintels with a gentle peak, as well as paired brackets are maintained from 93 Dufferin Avenue.

Historical/Associative Values

93-95 Dufferin Avenue has several significant historical associations. Firstly, it is believed to have been designed by London architect/surveyor/engineer Samuel Peters (1822-1882). Samuel Peters was a Surveyor, Architect, and Engineer. He was appointed as Town Engineer in 1852, and became the first City Engineer in 1855. Samuel Peter is responsible for surveying the first City of London map in 1855. He is a noted architect in London having designed several prominent buildings, including Grosvenor Lodge (1853), first Covent Garden Market building (1853-1854, now demolished), and the Edge Block (1875, southeast corner of Richmond Street and Dundas Street). He oversaw the construction of the city sewer system, surveyed and designed the Mount Pleasant

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Cemetery, and other undertakings in the rapidly growing City of London. Samuel Peters and his family lived at 93 Dufferin Avenue from its construction in 1868 until immediately prior to his death in 1882. Samuel Peters decision to settle in Talbot North reflects the status he had achieved in London.

Secondly, Colonel John Walker (1832-1889) lived at 93 Dufferin Avenue, then known as “Shirra.” Colonel Walker was a Scottish-born industrialist and London’s Liberal Member of Parliament in the Canadian House of Commons in 1874. He was also a Vice-President of Canadian Pacific Railway, a director of the Mutual Oil Refining Company, and the Middlesex County Registrar. Mrs Laura (Hespler) Walker, his wife, was the wealthy heiress of Jacob Hespler of Waterloo County. Mrs Laura Walker purchased 93 Dufferin Avenue in 1881 and sold it in 1891.

Contextual Values

The historical and contextual values of 93-95 Dufferin Avenue are rooted in its location in London and the Londoners who chose to live there. 93-95 Dufferin Avenue contributes to the history of the Talbot North area. Residential and industrial uses were mixed throughout the area north of the City of London proper until the mid-1860s when the area began to transition to a primarily residential area. It quickly became London’s first suburb. Many of the buildings that date from this period of early suburban development are constructed of the characteristic London buff brick, including 93-95 Dufferin Avenue. The form and style of 93-95 Dufferin Avenue reflect the social status afforded to individuals who chose to settle in this area in the later-half of the nineteenth century.

Heritage Attributes

Heritage attributes which support and contribute to the cultural heritage value or interest of 93-95 Dufferin Avenue include:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly facades including quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches on original building westerly façade;
- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;
- Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway; and
- Historical associations with Samuel Peters, Colonel John Walker and Mrs. Laura (Hespler) Walker.

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APPENDIX D1 — Figure of Heritage Attributes: North Façade, 93-95 Dufferin Avenue



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APPENDIX D1 — Figure of Heritage Attributes: North Façade Details, 95 Dufferin Avenue

<p>temple front form</p> <p>round window w/detailing</p> <p>paired wooden brackets</p> <p>brick work detailing</p> <p>oval window with keystone frame</p> <p>lugsills</p> <p>buff brick</p> <p>quoining</p> <p>lugsills</p>			<p>dentils</p> <p>round window set in pediment framed w/laurel wreath</p> <p>brickwork detailing</p> <p>plain freize</p> <p>paired wooden brackets</p> <p>architrave and brick work detailing</p> <p>window lintels gentle w/peak</p> <p>quoining</p>
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APPENDIX D1 — Figure of Heritage Attributes: West Façade, 93 Dufferin Avenue

