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July 24, 2017

Mayor and Members of Council
The Corporation of the City of London
Building Division, Room 708
300 Dufferin Avenue
London, ON N6A 4L9

Your Worship and Members of Council:

**Re: EMCO Corporation Building – 1108 Dundas Street, London, Ontario
Inventory of Heritage Resources**

We have been retained to act on behalf of EMCO Corporation ("Client"), the owner of the building located at 1108 Dundas Street, City of London ("City"), Province of Ontario ("Building").

Our Client received a letter from the City dated July 18, 2017 indicating that the City was recommending that its Building be added to the Register (*Inventory of Heritage Resources*), pursuant to section 27 of the *Ontario Heritage Act* as a listed property. This recommendation was made without contacting our Client or without any investigation into the Building.

The Building has been significantly altered since its construction in the 1900s. While the City claims that its research identifies the building as the design of John Mackenzie Moore a site visit would confirm that there are no identifying features left of the original building design.

The City issued Demolition Permit 12 034838 000 00 DM¹ on December 3, 2012. This permit allowed for the demolition of 14,472 sq. m. (155,775.31 sq. ft) of the rear portion of the industrial facility. The demolition in 2012 resulted in 20 buildings on the property being removed. The approximately five buildings remaining on the property have been significantly altered with most of them being renovated in the 1970s.

¹ The legal description of the property is Plan 115, Lot 16-18 Pt. Lot 19 – 23 Plan 473 Pt Lots 78, 84 Con 1 Pt Lot 10 being approximately 13.25 acres and having 391.17 frontage.

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The Building has been significantly altered to such an extent that none of the original architectural features remain. The veneer consists of white stucco from the 1970s, aluminum siding that was applied in 2013 after the demolition of the buildings, and new windows. There are no heritage aspects remaining on this Building as a result of these significant alterations, all of which were completed with City approval. The interior of the Building has also been subject of numerous renovations including a significant renovation in the late 1990s.

It is not appropriate to place our Client's property on the Register to identify it as a cultural heritage property that has been identified as being important to the community. This disregards the City's approval of the demolition permit and significant renovations to the Building that has altered the original design. In addition, the listing of the Building that does have any of its heritage attributes remaining severely limits the ability of our Client to renovate or sell this Building.

The statement that research on the Building identifies it as being the design of John Mackenzie Moore, without taking into account the alterations to the building, and failing to identify or describe its heritage attributes as required by the *Ontario Heritage Act*. Simply naming the architect from 1907 when none of the original architectural features of the original building remains is a misuse of the provisions of the *Ontario Heritage Act*.

For the City to take this step absent any research of its own records is without merit and causes significant harm to our Client. The City has failed to identify what interim protection is necessary for this Building when it has been significantly altered from its original state and approximately two-thirds of the buildings being demolished with the permission of the City. The remaining one-third of the Buildings have been significantly altered and reconstructed to the point that there are no original features remaining.

We trust that you will take this letter into consideration, review the City records relating to our Client's Building, and refuse the recommendation to list our Client's Building on the Register.

Our Client has consistently worked cooperatively with the City and is willing to meet with City representatives to discuss this issue in more detail.

We are also formally requesting that we be notified of any decision on this matter and any meetings both informal and formal where the listing of our Client's Building on the Register is the subject of discussion.

Yours truly,

Siskinds LLP



Per:

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Partner

c: Cathy Saunders, City Clerk, csaunder@london.ca
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Client