

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** John M. Fleming  
Managing Director, Planning and City Planner

**Subject:** Demolition Request for Heritage Listed Property at 160  
Oxford Street East by Northwest Healthcare Properties Ltd.

**Public Participation Meeting on:** Monday April 15, 2019

## Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions **BE TAKEN** with respect to the demolition request for the heritage listed property located at 160 Oxford Street East:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the building on this property; and,
- b) The property at 160 Oxford Street East **BE REMOVED** from the Register (Inventory of Heritage Resources).

## Executive Summary

A demolition request was received for the heritage listed property at 160 Oxford Street East. The subject property was added to the Register (Inventory of Heritage Resources) as part of the recommended Great Talbot Heritage Conservation District. A Heritage Impact Assessment accompanied the demolition request for the property. Its evaluation of the property using the criteria of O. Reg. 9/06 found that the property, on an individual basis, did not meet the criteria for designation.

## Analysis

### 1.0 Background

#### 1.1 Property Location

The property at 160 Oxford Street East is located on the north side of Oxford Street East on the northwest corner of Oxford Street East and St. George Street (Appendix A).

#### 1.2 Cultural Heritage Status

The property at 160 Oxford Street East is a heritage listed property. It was included in the St. George-Grosvenor Heritage Conservation District Study area. The St. George-Grosvenor Heritage Conservation District Study area was generally bound by Oxford Street East, Richmond Street, Victoria Street, and the Thames River. An inventory of properties located within the study area was completed (Appendix B). The St. George-Grosvenor Heritage Conservation District Study recommended the designation of two Heritage Conservation Districts pursuant to Part V of the *Ontario Heritage Act*: the Great Talbot Heritage Conservation District and the Gibbons Park Heritage Conservation District. At its meeting on January 17, 2017, Municipal Council added all properties within the recommended boundaries of the two recommended Heritage Conservation Districts to the Register (Inventory of Heritage Resources) pursuant to Section 27 of the *Ontario Heritage Act*.

The property at 160 Oxford Street East is located within the recommended Great Talbot Heritage Conservation District (see Appendix A).

#### 1.3 Description

The building located on the subject property at 160 Oxford Street East is a single storey, vernacular frame cottage with a hipped roof (Appendix C). The main façade of the

building faces Oxford Street East, with its main entry door located in the eastern-most bay of the three-bay façade which indicates its side hall plan. Windows occupy the other two bays of the south (main) façade. The main entry is accessed via a wood verandah which spans the frontage of the building. The shed-style roof of the verandah connects with the hipped roof of the building. The building is clad in vinyl siding. There does not appear to be any original or historic doors or windows located on the building.

The rectangular building is constructed on what appears to be a concrete block foundation. However, this is inconsistent for a structure with an approximate date of construction circa 1877.

The building is identified as an “Ontario Cottage” within the Heritage Impact Assessment (see Section 3.2.1 and Appendix D; ARA 2019, 23). While this definition may be applicable across Ontario, within the City of London a more precise definition of an “Ontario Cottage” has been part of the lingua franca since the 1990s. For a building to be identified as an “Ontario Cottage” within the City of London, it must be a centre-hall plan, symmetrical, single-storey building, with a hipped roof and centre gable. The building located at 160 Oxford Street East is not an Ontario Cottage per London’s definition; it is a side hall plan cottage. Side hall plan cottages are common in London.

Access to the rear-yard parking for the property is provided off of St. George Street. Private concrete sidewalks connect the building to the municipal concrete sidewalks on both Oxford Street East and St. George Street.

The subject property is adjacent to several cultural heritage resources:

- 155 Oxford Street East – heritage listed property
- 163 Oxford Street East – heritage designated property (By-law No. L.S.P.-3474-126)
- 165 Oxford Street East – heritage designated property (By-law No. L.S.P.-3076-202)
- 176 Oxford Street East – heritage listed property
- 165 St. George Street – heritage listed property

To the north of the subject property, along the west side of St. George Street, the built form was replaced in the mid-twentieth century (built 1955-1965) with two- to three-and-a-half storey, brick, multi-unit apartment buildings.

The north side of Oxford Street East was once occupied by built forms similar to the subject property at 160 Oxford Street East. The 1912, Revised 1922 *Fire Insurance Plan* shows a contiguous row of one-storey frame dwellings on the north side of Oxford Street East from 128 Oxford Street East to St. George Street (see Figure 3, Appendix A). The area around the subject property has continued to change, with the greatest change being the construction of the adjacent four-storey Post Modern medical building at 140 Oxford Street East completed in 1994.

#### **1.4 Property History**

The precise date of construction for the building located at 160 Oxford Street East has not been clearly established. The inventory work completed in the *St. George-Grosvenor Heritage Conservation District Study* (2016), dates the building as “pre 1875” (Volume IV, Appendix F, 184; see Appendix B). Comments regarding the potential occupancy of William Friendship was noted in the inventory, however direct links to this property and building could not be confirmed. Historical research undertaken by the Heritage Impact Assessment (see Section 3.2.1 and Appendix D), indicate that the building was constructed between 1877 and 1896 (ARA 2019, 11).

An approximate date of construction of the building at 160 Oxford Street East in circa 1877 is believed because of the mortgage taken out by Henry Taylor in 1877, following his purchase of the property in April 1875 and subdivision of the property in July 1875. The Heritage Impact Assessment notes, “It is possible that the mortgage is indicative of construction activities on the property” (ARA 2019, 11). The building located on the

subject property appears to conform to the simple vernacular characteristics expected of a circa 1870s building in this location outside of the historic core of the City.

The subject property was sold by the executors of the Henry Taylor estate in 1924 to Brenda Scott, who sold it the following year to Archibald Rogers. It was sold by Elizabeth Rogers in 1970 to Frank Johnson, who owned the subject property until it was transferred in 1994 to a numbered company. In about 1994, the building was converted from a residential dwelling into a dental office. The building at 160 Oxford Street East has been vacant for several years.

As noted above, the building has a concrete block foundation which does not correlate with the approximate date of construction. It was not possible to determine this conundrum, but could indicate major interventions to the building in its past.

## **2.0 Legislative and Policy Framework**

### **2.1 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.” “Significant” is defined in the *Provincial Policy Statement (2014)* as, in regards to cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, and event, or a people.”

The *Provincial Policy Statement (2014)* defines “conserved” as: “Means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is maintained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.”

### **2.2 Ontario Heritage Act**

Section 27 of the *Ontario Heritage Act* requires that a register kept by the clerk shall list all properties that have been designated under the *Ontario Heritage Act*. Section 27(1.2) of the *Ontario Heritage Act* also enables Municipal Council to add properties that have not been designated, but that Municipal Council “believes to be of cultural heritage value or interest” on the Register.

The only cultural heritage protection afforded to heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the London Advisory Committee on Heritage (LACH) is consulted, and a public participation meeting is held at the Planning & Environment Committee.

Section 29 of the *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29 of the *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Appeals to the Notice of Intent to Designate a property pursuant to Section 29 of the *Ontario Heritage Act* are referred to the Conservation Review Board (CRB).

#### **2.2.1 Criteria for Determining Cultural Heritage Value or Interest**

The criteria of Ontario Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are:

1. Physical or design value:
  - i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method;
  - ii. Displays a high degree of craftsmanship or artistic merit; or,
  - iii. Demonstrates a high degree of technical or scientific achievement.

2. Historical or associative value:
  - i. Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
  - ii. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
  - iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. Contextual value:
  - i. Is important in defining, maintaining or supporting the character of an area;
  - ii. Is physically, functionally, visually or historically linked to its surroundings; or,
  - iii. Is a landmark.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the demolition request should be granted and the property removed from the *Inventory of Heritage Resources* (Register).

### **2.3 The London Plan**

The policies of *The London Plan* articulate the contributions that our cultural heritage resources made to our community. Our cultural heritage resources distinguish London from other cities, and made London a more attractive place for people to visit, live, or invest. Importantly, “our heritage resources are assets that cannot be easily replicated and they provide a unique living environment and quality of life. By conserving them for future generations, and incorporating, adapting, and managing them, London’s cultural heritage resources define London’s legacy and its future” (Policy 552\_, *The London Plan*).

With the cultural heritage policies of *The London Plan*, we will (Policy 554\_):

1. *Promote, celebrate, and raise awareness and appreciation of London’s cultural heritage resources.*
2. *Conserve London’s cultural heritage resources so they can be passed onto our future generations.*
3. *Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.*

Generally, the policies of *The London Plan* support the conservation and retention of significant cultural heritage resources. The criteria for the evaluation of an individual property, which match the criteria of O. Reg. 9/06, can be found in Policy 573\_; the policies for the evaluation of a potential Heritage Conservation District can be found in Policy 576\_.

Policy 591\_ states,

*Where a heritage designated property or a property listed on the Register is to be demolished or removed, the City will ensure that the owner undertakes mitigation measures including a detailed documentation of the cultural heritage features to be lost, and may require the salvage of materials exhibiting cultural heritage value for the purpose of re-use or incorporation into the proposed development.*

### **2.4 Register (Inventory of Heritage Resources)**

Municipal Council may include properties on the Register (Inventory of Heritage Resources) that it “believes to be of cultural heritage value or interest.” These properties are not designated, but are considered to have potential cultural heritage value or interest. The property at 160 Oxford Street east is considered to have potential cultural heritage value or interest as a heritage listed property.

## **3.0 Demolition Request**

The property owner submitted written notice of their intention to demolish the building located at 160 Oxford Street East received on March 19, 2019. This demolition request

was accompanied by a Heritage Impact Assessment (prepared by Archaeological Research Associates Ltd., dated March 8, 2019) (Appendix D).

Municipal Council must respond to a request for the demolition of a heritage listed property within 60 days, or the request is deemed consented. During this 60-day period, the London Advisory Committee on Heritage (LACH) is consulted and, pursuant to Council Policy, a public participation meeting is held at the Planning & Environment Committee.

The 60-day period for the demolition request for the heritage listed property at 160 Oxford Street East expires on May 18, 2019.

## **4.0 Cultural Heritage Evaluation**

### **4.1 Evaluation**

The subject property at 160 Oxford Street East was identified as a potential cultural heritage resource as part of the recommended Great Talbot Heritage Conservation District. It was included in the evaluation undertaken in the St. George-Grosvenor Heritage Conservation District Study, resulting in the recommendation to include the property at 160 Oxford Street East within the boundaries of the recommended Great Talbot Heritage Conservation District.

Unlike the mandated criteria of O. Reg. 9/06 for the evaluation of an individual property, there are no provincially-mandated criteria for the evaluation of a potential Heritage Conservation District. Instead, the City relies on the application of the criteria for the evaluation of a potential Heritage Conservation District in the policies of its *Official Plan/The London Plan*. The evaluation of a potential Heritage Conservation District, pursuant to Part V of the *Ontario Heritage Act*, relies on the cumulative cultural heritage value of a group of properties together.

The demolition request for the property at 160 Oxford Street East presents methodological challenges as the property was identified as a potential cultural heritage resource related to the recommended Great Talbot Heritage Conservation District, but the demolition request requires an evaluation of the cultural heritage value of the property on an individual basis.

An evaluation of the property at 160 Oxford Street East was undertaken using the criteria of O. Reg. 9/06 (see Section 2.2.1 for criteria) by the Heritage Impact Assessment (ARA 2019). This evaluation found that the property did not meet any of the criteria of O. Reg. 9/06 (see Appendix D). The Heritage Impact Assessment (ARA 2019, 26-27) stated regarding contextual value,

*160 Oxford Street East is no longer important in defining, maintaining or supporting the character of the area. The property has been altered through the removal of all of its historic architectural elements with the exception of its one-storey scale and massing, hipped roof and arrangement of window and door openings on the south façade. The cohesive, historic low-density residential character of the streetscape has been diminished over time through the introduction of contemporary development, notably the immediately adjacent four-storey medical building.*

The evaluation of the potential contextual values of the subject property has found that it has been isolated by past redevelopment. In the Heritage Impact Assessment (ARA 2019), the evaluation focused on the adjacent property at 140 Oxford Street East, however a similar evaluation could be made for the adjacent properties at 165 St. George Street, 171 St. George Street, and 175 St. George Street. These twentieth century buildings isolate the nineteenth century building at 160 Oxford Street East from other nineteenth century buildings within the recommended Great Talbot Heritage Conservation District.

And, in summary,

*... 160 Oxford Street East has undergone modifications that have impacted the integrity of the structure's architectural features and as such it is no longer a vernacular representation of the Ontario Cottage style. The property is associated primarily with the Friendships and Taylors who were early families residing in this area of London. Research conducted did not suggest any notable contributions to the community made by the individuals who lived on the property. The contextual value of the property has been diminished through adjacent contemporary development on Oxford Street East that has isolated the structure on the east end of the block. As such, the property does not meet any O. Reg. 9/06 criteria.*

Staff reviewed the Heritage Impact Assessment (ARA 2019) and the evaluation of the property using the criteria of O. Reg. 9/06. Staff concur with the findings of the evaluation, that the property did not meet any of the criteria of O. Reg. 9/06.

The documentation provided in the Heritage Impact Assessment (ARA 2019) is sufficient documentation of the subject property at 160 Oxford Street East. No further documentation is recommended.

#### **4.2 Recommended Great Talbot Heritage Conservation District**

Within the *St. George-Grosvenor Heritage Conservation District Study*, properties on Oxford Street East were recognized as being part of a “very different planning regime” and were considered differently than properties on the interior of the study area. Section 8.3.2 of the *St. George-Grosvenor Heritage Conservation District Study* (2016) noted, *Some select gateway properties have been included at the intersections of Oxford Street East and Talbot Street and at Oxford Street East and St. George Street. These gateway properties have architectural features and a history similar to the properties in the interior of the Study Area and visually have more in common with properties further into the Study Area than with properties on Oxford Street East.*

The evaluation of the property at 160 Oxford Street East found that it has been isolated from the historic residential area of the recommended Great Talbot Heritage Conservation District by redevelopment of adjacent properties in the twentieth century, diminishing the potential contextual values of the subject property.

#### **4.4 Consultation**

Pursuant to Council Policy for the demolition of a heritage listed property, notification of the demolition request for the property at 160 Oxford Street East was sent to 77 property owners within 120m of the subject property on March 27, 2019, as well as community groups including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, the Urban League, and the St. George-Grosvenor Neighbourhood Association. Notice was also published in *The Londoner* on March 28, 2019.

#### **4.5 Other**

As the subject property abuts another heritage listed property and is adjacent to two heritage designated properties, a Heritage Impact Assessment may be required as part of the submission of a future planning or development application for the redevelopment of the subject property. Within Section 9.5 of the Heritage Impact Assessment (ARA 2019, 35), mitigative suggestions are provided that should be considered to ensure the compatibility of future development on the subject property with adjacent cultural heritage resources and the character of the recommended Great Talbot Heritage Conservation District.

Additionally, the subject property has been identified as demonstrating archaeological potential; an archaeological assessment may be required as part of a future planning or development application.

## 5.0 Conclusion

The evaluation of the property at 160 Oxford Street East found that the property, as an individual property, does not meet the criteria of O. Reg. 9/06 and therefore does not merit designation under the *Ontario Heritage Act*.

<b>Prepared by:</b>	<b>Kyle Gonyou, CAHP Heritage Planner</b>
<b>Submitted by:</b>	<b>Gregg Barrett, AICP Manager, Long Range Planning &amp; Research</b>
<b>Recommended by:</b>	<b>John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

April 2, 2019  
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Appendix A Property Location

Appendix B Images

Appendix C Extract – 160 Oxford Street East – *St. George-Grosvenor Heritage Conservation District Study – Volume IV, Appendix F*

Appendix C Archaeological Research Associates Ltd., Heritage Impact Assessment  
160 Oxford Street East, City of London, Ontario (March 8, 2019)

### Sources

Archaeological Research Associates Ltd. Heritage Impact Assessment 160 Oxford Street East, City of London, Ontario March 8, 2019)

City of London. Property files: 160 Oxford Street East.

City of London. *St. George-Grosvenor Heritage Conservation District Study* (2016).

City of London. *The London Plan* (2016).

*Ontario Heritage Act*.

Ontario Regulation 9/06.

**Appendix A**

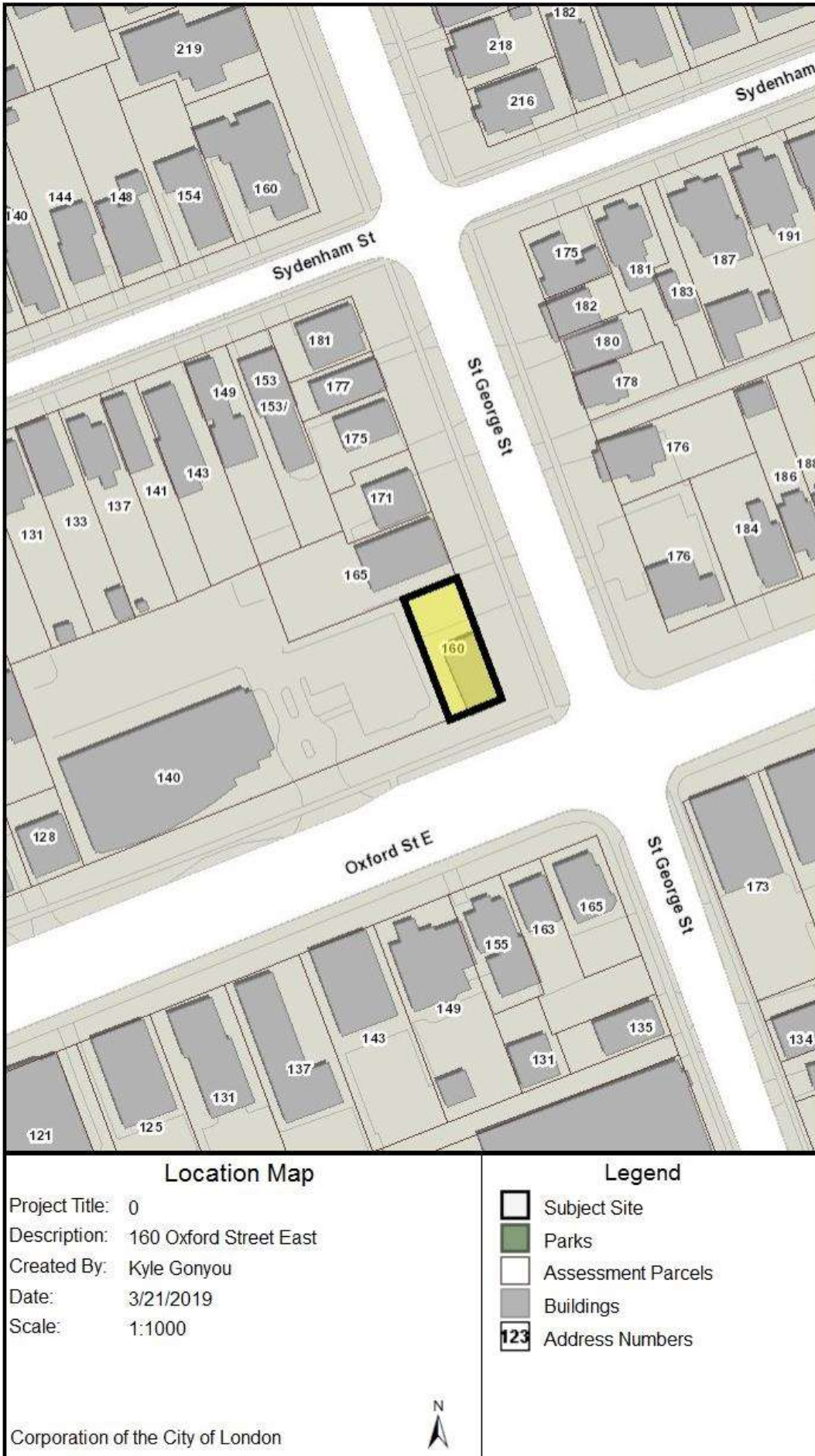


Figure 1: Property location of the subject property at 160 Oxford Street East.



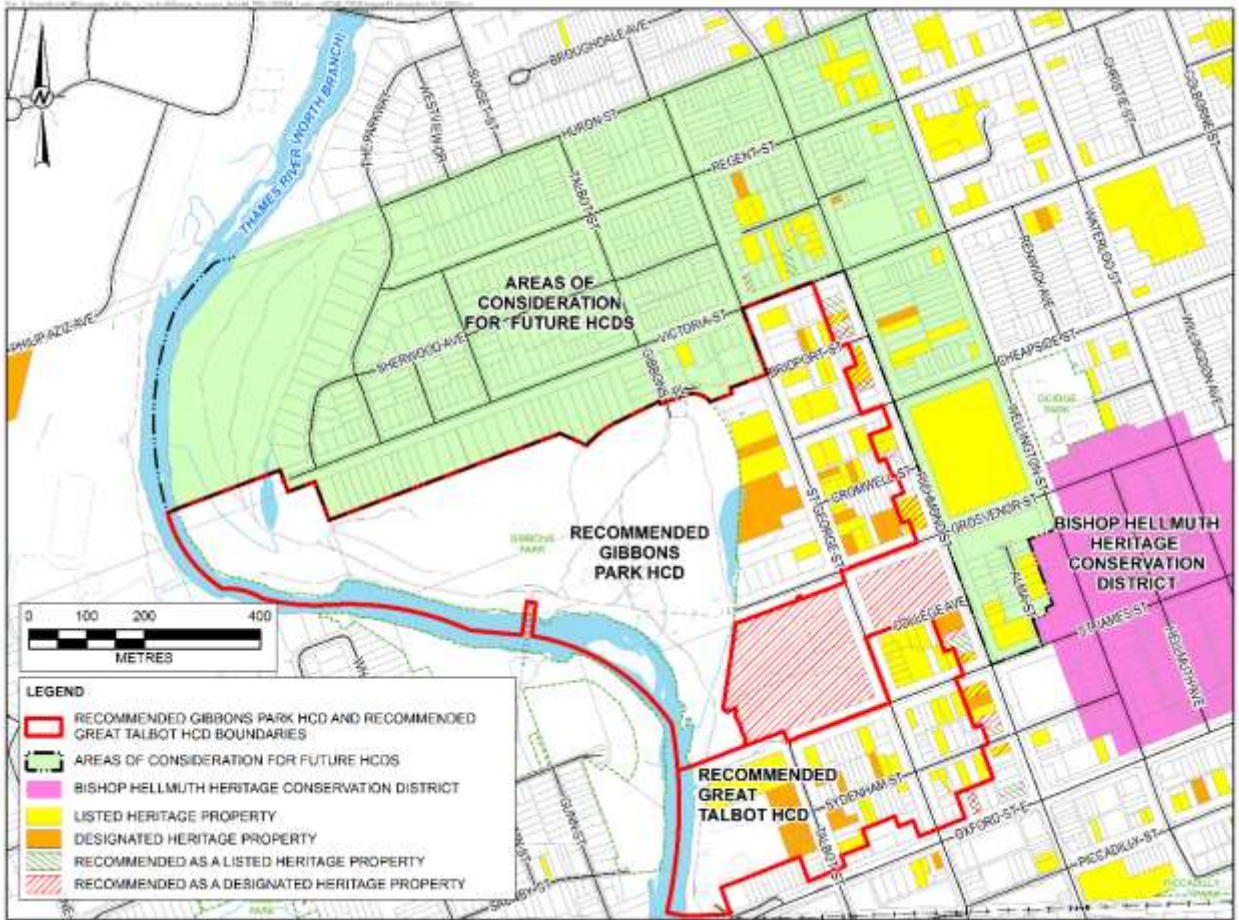


Figure 2: Map of the recommendations of the St. George-Grosvenor Heritage Conservation District Study, including the recommended Great Talbot Heritage Conservation District.

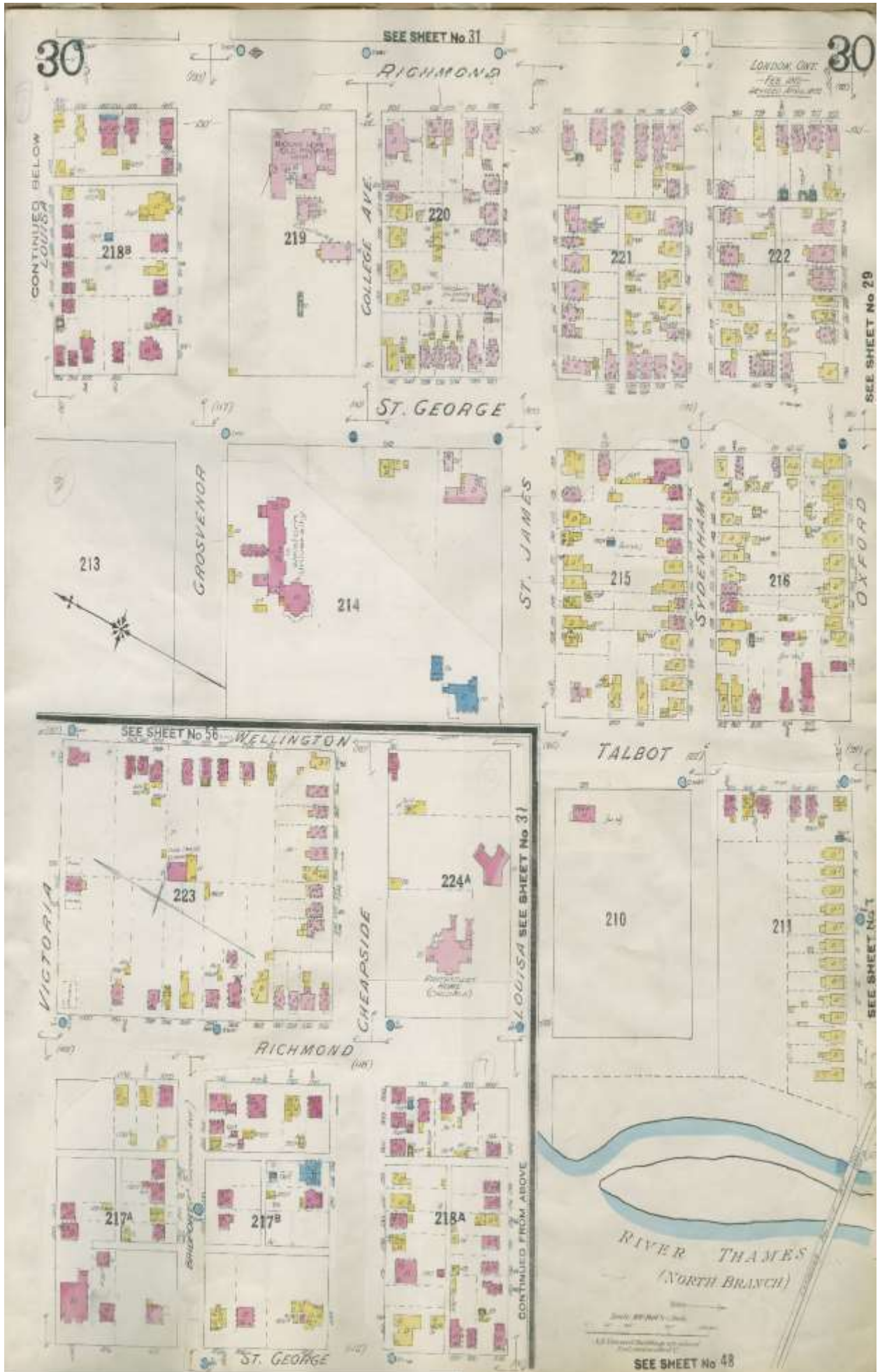


Figure 3: Sheet 30, 1912 revised 1922 Fire Insurance Plan, which shows a row of similar one-storey, frame dwellings on the north side of Oxford Street East. Courtesy Western Archives.

**Civic Address:** 160 Oxford Street East  
**Assessment Roll No:** 010500103000000  
**Legal Description:** PLAN 65 PT LOT 1 W/S ST GEORGE 4018.00SF  
41.50FR 96.83D  
**Designation/Listing Status:** None

**Property History**

**Date of Construction:** Pre 1875

**Architect and/or Builder:** Unknown

**Historic Associations:** City directories indicate that William Friendship may have lived at this address in 1875. By 1881 Henry Taylor owned this property, living here to 1891. After 1891 several tenants, changing often after a year, lived at this address.



**Property Description**

This house at 160 Oxford Street is a single storey vernacular cottage with a hipped roof and front porch along the entire front of the building. The front door is off centre on the east side of the building. The front elevation has two tall windows, one in the centre of the elevation and one on the west side of the front elevation. The front porch is five steps above grade. The roof extends over the porch on the front of the house. This house is clad in vinyl siding.

The house at 160 Oxford Street East is a small cottage on the corner of Oxford Street and St. George Street. This house is on the front property line and is set back 8.5 metres from the edge of Oxford Street East. Driveway access is off of St. George Street.

**Heritage Attributes**

- One storey scale and massing
- Hipped roof
- Setback from the streets
- Arrangement of window and door openings on the front elevation.

**Contributing/Non-Contributing:** TBD

**Sources**

- London City Directories

Figure 4: Extract from Volume IV, Appendix F of the St. George-Grosvenor Heritage Conservation District Study with the property inventory sheet completed for the property at 160 Oxford Street East.

## Appendix C



*Image 1: Converted slide image of the subject property at 160 Oxford Street East (not dated). Noted the metal railing and porch skirting, as well as the hoods above the window openings with segmented-arch two-over-two wood windows (storm windows on front windows under verandah).*



*Image 2: Undated photograph of the subject property at 160 Oxford Street East.*



Image 3: The subject property at 160 Oxford Street East (2016).



Image 4: The subject property at 160 Oxford Street East.



*Image 5: View of the subject property from the northeast corner of Oxford Street East and St. George Street.*



*Image 6: View of the subject property at 160 Oxford Street East, showing the south (main) façade and the east façade.*



*Image 7: The Oxford Health Centre building, located at 140 Oxford Street East, adjacent to the subject property.*



*Image 8: Adjacent and nearby properties on St. George Street, north of the subject property.*



*Image 9: A representative streetscape of the recommended Great Talbot Heritage Conservation District. The east side of St. George Street, north of Sydenham Street, shown.*



*Image 10: Another representative streetscape of the recommended Great Talbot Heritage Conservation District. The north side of Sydenham Street, just east of St. George Street, shown.*



## Appendix D

Archaeological Research Associates Ltd., Heritage Impact Assessment 160 Oxford Street East, City of London, Ontario (March 8, 2019) [[attached separately](#)].