

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: John M. Fleming
Managing Director, City Planning and City Planner
Subject: Demolition Request for Heritage Listed Property at 567 King Street by J. E. & K. A. O'Neil
Public Participation Meeting on: Monday July 22, 2019

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property at 567 King Street, that the following actions **BE TAKEN**:

- a) The property owner **BE REQUESTED** to salvage any elements or artifacts from the building appropriate for reuse;
- b) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the building on this property; and,
- c) The property at 567 King Street **BE REMOVED** from the Register.

Executive Summary

Summary of Request

A demolition request for the heritage listed property located at 567 King Street was received on June 4, 2019. Municipal Council must make a decision on this demolition request before August 3, 2019 or the request is deemed consented.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to remove the property at 567 King Street from the Register, pursuant to Section 27(3) of the *Ontario Heritage Act*, with the effect of allowing the demolition of the building on the property to proceed.

Rationale of Recommended Action

Staff completed an evaluation of the property at 567 King Street using the criteria of Ontario Regulation 9/06 and found that the property does not demonstrate significant cultural heritage value and does not merit designation under the *Ontario Heritage Act*.

Analysis

1.0 Background

1.1 Property Location

The property at 567 King Street is located on the south side of King Street between William Street and Adelaide Street North (Appendix A). The subject property is surrounded to the north, west, and south by surface parking lots where residential buildings were once located. The residential property to the east at 575 King Street is also a heritage listed property.

1.2 Cultural Heritage Status

The property at 567 King Street has been included on the *Inventory of Heritage Resources* in 1987. In 2007, the *Inventory of Heritage Resources* was adopted in its entirety as the Register pursuant to Section 27(3) of the *Ontario Heritage Act* by Municipal Council. The property at 567 King Street is a potential cultural heritage resource.

1.3 Description

The property at 567 King Street includes a two-storey, buff brick, three-bay, residential type structure (Appendix B). The building demonstrates some elements of the Italianate

style, which is articulated through its shallow hipped roof, vertically-oriented window and doorway openings.

The property has been the subject of previous alterations, including the paving of the front yard for parking, rear additions, replacement of the original windows, removal of the original door, alteration of the sidelights of the doorway, removal of the front porch, and alterations or cladding at the eaves, including alterations that affected paired brackets. Some of these alterations can be attributed to the conversion of the residential building to suit a commercial use.

1.4 Property History

The property at 567 King Street is located just outside of the original town plot surveyed for London in 1826 by Mahlon Burwell as the beginnings of this property’s Euro-Canadian history. It was located in the lands immediately to the east of the original town plot boundary (originally bounded by the Thames River, North Street [Queens Avenue]/the Kent farm, and Wellington Street), which were granted by the Crown to the Anglican Church as part of the Glebe Lands belonging to St. Paul’s Church (Figure 2, Appendix C). The 1840 Annexation of the Town of London increased the Town’s boundaries to Adelaide Street North and Huron Street which included the subject property. In 1855, the City of London was established (Figure 3, Appendix C).

By the 1870s-1880s, lots previously surveyed during the real estate boom of the 1850s were being constructed upon. The building located on the subject property at 567 King Street was constructed in approximately 1880-1881, and is shown on the *1881, revised 1888 Fire Insurance Plan* (Figure 4, Appendix C). The building is shown as a brick structure, two storeys in height. Notation indicates a porch was formerly located across the building’s façade. Historical research undertaken for the subject property did not identify or attribute the construction of the building to a particular architect or builder.

As recorded by the City Directory, the first occupant of the property at 567 King Street was Jacob Sanders. Jacob Sanders was a plasterer and information with the City Directory (1881-1882) indicates he was a freeholder, meaning he owned the property. His family, specifically his wife, Mary, remained at the property until at least 1916. By 1919 and into the 1930s, the property was owned by Malcom Hugh McAlpine, a manager/buyer at the Silverwoods Market. He later sold produce at the Covent Garden Market. In 1935 and into the 1950s, the property was owned by Emily Boudelage, who appears to have taken boarders. By 1955, the property was converted to a veterinarian clinic, which it operated under the ownership of at least three different veterinarians until 2019. The property was acquired by the current owner on May 24, 2019.

1.5 Italianate Architectural Style

The Italianate architectural style was a popular architectural style in London in the 1870s and 1880s. It emphasized traditional Georgian architectural principles, including balance and square shapes, but richer in ornamentation sometimes including details like quoins or paired brackets. John Blumenson, in *Ontario Architecture* (1990), attributes the Ontario vernacular version of the Italianate architectural style to a “synthetic eclecticism” that was introduced by *The Canadian Farm Journal* in 1865 (Blumenson 1990, 58). Combinations of architectural details were easily added or removed from standard types, lending applicability to rural or urban locales. “It satisfies the desire to be modern or up-to-date with Italianate features, but not lavishly so” (Blumenson 1990, 59).

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 pursuant to Section 27(3) of the *Ontario Heritage Act*.

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 and 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), however the final decision rests with Municipal Council until otherwise proclaimed.

To determine eligibility for designation under Section 29 of the *Ontario Heritage Act*, properties are evaluated using the mandated criteria of Ontario Regulation 9/06.

2.2.1 Ontario Regulation 9/06

The criteria of Ontario Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are reinforced by Policy 573_ of *The London Plan*. 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*.

2.3 The London Plan

The policies of *The London Plan* articulate the contributions that our cultural heritage resources make 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

Applicable policies include:

- Policy 566_: Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered.
- Policy 567_: In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource is found necessary, as determined by City Council, archival documentation may be required to be undertaken by the proponent and made available for archival purposes.
- Policy 568_: Conservation of whole buildings on properties identified on the Register is encouraged and the retention of facades alone is discouraged. The portion of a cultural heritage resource to be conserved should reflect its significant attributes including its mass and volume.
- Policy 569_ Where, through the process established in the Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources section of this chapter and in accordance with the *Ontario Heritage Act*, it is determined that a building may be removed, the retention of architectural or landscape features and the use of other interpretive techniques will be encouraged where appropriate.

2.4 Register

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 567 King Street is considered to have potential cultural heritage value or interest as a heritage listed property.

The Register (*Inventory of Heritage Resources*) states that further research is required to determine the cultural heritage value or interest of heritage listed properties.

3.0 Demolition Request

Written notice of intent to demolish the existing building located at 567 King Street was received on June 4, 2019. The letter of intent to demolish noted the existing condition of the building as the motivation for its demolition and cited plans to return the site to green space comparable to the space at the southeast corner of William Street and King Street (545 King Street, demolished in about 2001 following consultation with the LACH and owned by the same property owner).

Municipal Council must respond to a notice of intent to demolish 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 and Environment Committee. The 60-day period for the demolition request for the building located at 567 King Street expires on August 3, 2019.

Staff undertook a site visit of the property on June 24, 2019.

Consultation

Pursuant to Council Policy for the demolition of heritage listed properties, notification of the demolition request was sent to 18 properties within 120m of the subject property on July 3, 2019, as well as community stakeholders including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Notice was also published in *The Londoner* on July 4, 2019. At the time of writing no replies have been received regarding this demolition request.

4.0 Cultural Heritage Evaluation

4.1 Comparative Analysis

As a popular architectural style, London is fortunate to have many examples of the Italianate style. Within Appendix D, forty-four examples of the Italianate architectural style (as identified on the Register) are depicted. This includes heritage designated properties as well as heritage listed properties. Through their depictions, there are many examples of well conserved two-storey, buff brick, three-bay, hipped roof, Italianate architectural style residential buildings in London. There may be other examples of this type of building not yet recorded on the Register.

The property at 469 King Street is the geographic closest comparison property to the subject property. The property at 469 King Street is also a two-storey, buff brick, three-bay, hipped roof, Italianate architectural style residential building (see Appendix D, Image 19). Compared to the subject property, the property at 469 King Street demonstrates more elements or attributes of the Italianate style: segmented arched wood windows, original door with arched lights and transom, paired brackets, porch with slender colonettes. The property at 469 King Street has stronger integrity as a representative example of the Italianate architectural style than the property at 567 King Street.

The evaluation of the subject property was considered in the context of these comparisons, particularly in the evaluation of the subject property’s physical or design values.

4.2 Evaluation

A property may be designated under Section 29 of the *Ontario Heritage Act* if it meets one or more of the following criteria for determining cultural heritage value or interest: physical or design values, historical or associative values, or contextual values.

Table 1: Evaluation of the subject property at 567 King Street using the criteria of Ontario Regulation 9/06.

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	The property at 567 King Street has been identified as reflecting elements of the Italianate architectural style in its buff brick construction, vertical emphasis in window and door openings, and shallow hipped roof. The property at 567 King Street is not a rare, unique, or early example of a style, type, expression, material, or construction method. The Italianate architectural style

Criteria for Determining Cultural Heritage Value or Interest		
		was popular in London in the 1870s and 1880s, with many comparable examples, including those of an earlier date (see Appendix D). Attributed to the number of comparison properties, the subject property cannot be considered rare or unique from a City-wide or area/neighbourhood perspective. As there are many stronger examples of the style, type, expression, material, and construction method which retain a higher degree of integrity in their demonstration or articulation of the Italianate architectural style, the subject property at 567 King Street is not considered to be representative.
	Displays a high degree of craftsmanship or artistic merit	The property at 567 King Street does not display a high degree of craftsmanship or artistic merit.
	Demonstrates a high degree of technical or scientific achievement	The property at 567 King Street is not known to demonstrate technical or scientific achievement.
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	Historical research undertaken for the property at 567 King Street has not identified any direct associations with a theme, event, belief, person, activity, organization, or institution that are significant to a community.
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	The property at 567 King Street is not believed to yield or have the potential to yield information that contributes to an understanding of a community or a culture in a significant way.
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	Historical research undertaken for the property at 567 King Street did not attribute the building's construction to an architect, artist, builder, designer, or theorist.
The property has contextual value because it,	Is important in defining, maintaining, or supporting the character of an area	The property at 567 King Street contributes to the character of the area, however not in a significant manner. The subject property has a relationship to the adjacent property at 575 King Street, as any adjacent property would (similar setback, similar height; different scale, material, and massing); the relationship is not significant between the two built structures. The character of the area has been previously affected by demolitions resulting in the amount of surface parking lots in the vicinity, as well as the change in uses from predominantly residential to commercial or institutional which may or may not retain the residential form of buildings. The subject property does not sufficiently represent the character of the

Criteria for Determining Cultural Heritage Value or Interest		
		area to warrant its retention of a relic of the area's past or changing character.
	Is physically, functionally, visually, or historically linked to its surroundings	• The property at 567 King Street is not physically, functionally, visually, or historically linked to its surroundings in a significant manner.
	Is a landmark	• The property at 567 King Street is not believed to be a landmark in the community.

4.3 Integrity

The potential cultural heritage value of subject property at 567 King Street has been negatively affected by previous alterations. Elements of the property that could have demonstrated or articulated the Italianate architectural style in the subject property have been removed or affected by previous alterations.

While integrity is not a measure of originality of a potential cultural heritage resource, integrity is concerned with the ability of a resource to convey its cultural heritage values. For the property at 567 King Street, previous alterations have affected the resource to the extent where it doesn't sufficiently demonstrate its potential cultural heritage values, as a representative example of the Italianate architectural style, to warrant designation under the *Ontario Heritage Act*.

4.4 Summary

The subject property did not meet any of the criteria of Ontario Regulation 9/06, and therefore does not warrant designation under the *Ontario Heritage Act*. There are better rare, unique, representative or early examples of the Italianate architectural style with stronger integrity in London, some of which are designated pursuant to the *Ontario Heritage Act*.

5.0 Conclusion

The subject property at 567 King Street has been included on the City of London's Register pursuant to Section 27(3) of the *Ontario Heritage Act* since 2007. A demolition request was received for the heritage listed property and staff completed an evaluation using the criteria of Ontario Regulation 9/06. The evaluation found that the property is not significant and does not merit designation under the *Ontario Heritage Act*.

In conformity to policy 568_ of *The London Plan*, the property owner is encouraged to salvage any elements or artifacts from the building appropriate for reuse. Given the number of other examples of this type of resource with a high degree of integrity, no further documentation of the subject property is recommended.

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Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Sustainability
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner
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 City Planning.	

July 15, 2019
KG/

Appendix A Property Location
Appendix B Images

Sources
Blumenson, J. *Ontario Architecture: A Guide to Style and Building Terms 1784 to the Present*. 1990.
City Directory. Various years.
Fire Insurance Plans. 1881, revised 1888; 1892, revised 1907; 1912, revised 1915; 1912, revised 1922. Courtesy Western Archives.

Appendix A – Location



Figure 1: Property location of 567 King Street.

Appendix B – Images



Image 1: Property at 567 King Street, seen from the north side of King Street.



Image 2: Showing the north (main) and east façades of the building at 567 King Street. The adjacent property at 575 King Street (red brick) is shown on the left.



Image 3: Showing the west façade of the building at 567 King Street, seen from the adjacent parking lot. Note the additions to the rear of the original building.

Appendix C – Historic Research

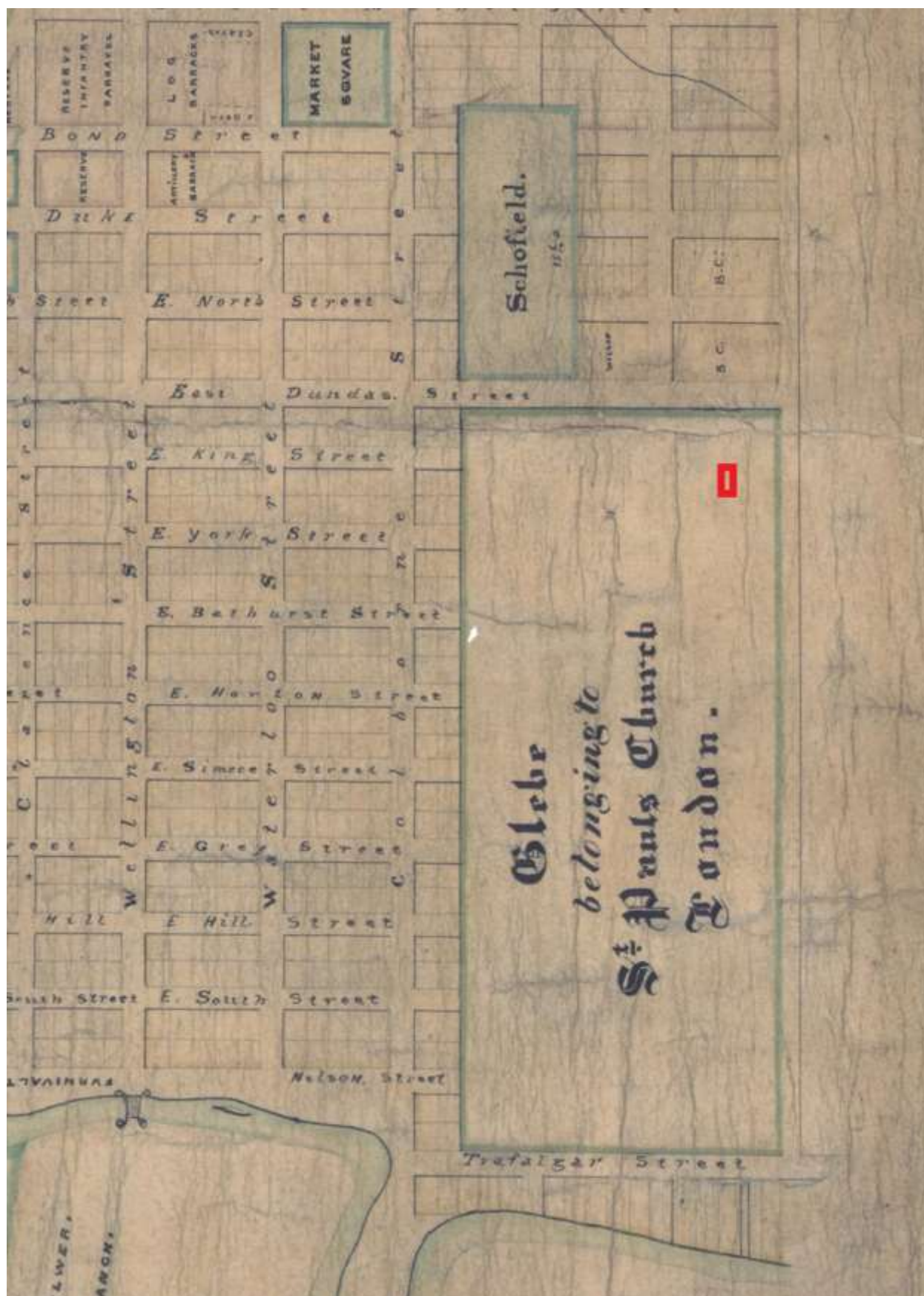


Figure 2: Extract from the Map of London West by William Robinson (1840). The approximate location of the subject property, 567 King Street, is shown in red. Note the property is located within the plot of land marked, “Glebe belonging to St. Paul’s Church, London.”

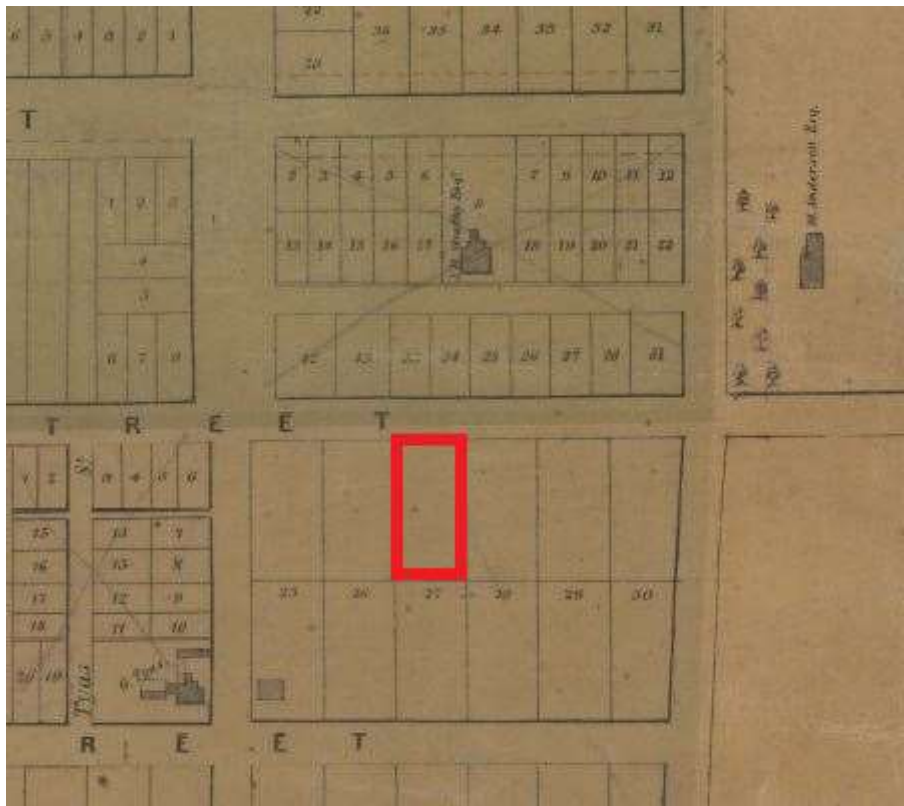


Figure 3: Detail of the 1855 Map of the City of London, Canada West by Samuel Peters, with the north half of Lot 27 on the south side of King Street highlighted in red (subject property). To the east (left) of the subject property is Adelaide Street North, then located outside of the City limits so no details are shown.

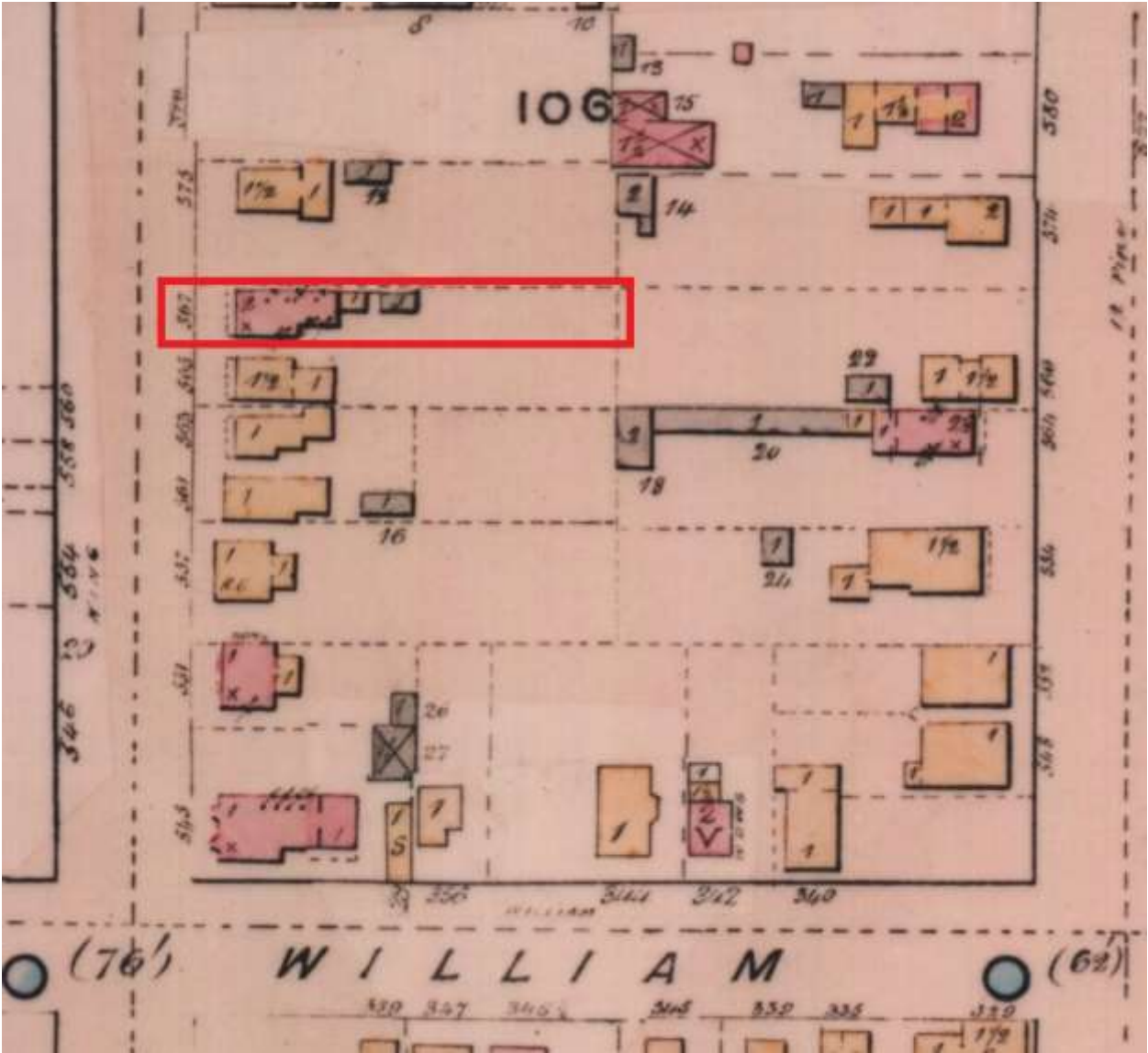


Figure 4: Extract from the 1881, revised 1888 Fire Insurance Plan, annotated to identify the property at 567 King Street (in red). Courtesy Western Archives.

Appendix D – Comparative Analysis

Table 2: Comparison of other two-storey, buff brick, three-bay, shallow hipped roof, Italianate residential structures in London included on the Register of Cultural Heritage Resources.



Image 4: 220 Burwell Street (1870), heritage listed property (June 2014, courtesy Google).



Image 5: 185 Central Avenue (1881), heritage listed property.



Image 6: 268 Clarence Street (c.1885), heritage listed property (July 2016, courtesy Google).



Image 7: 482 Colborne Street (1884), West Woodfield Heritage Conservation District (October 2018, courtesy Google).



Image 8: 64 Duchess Avenue (c.1882), Wortley Village-Old South Heritage Conservation District (October 7, 2016). Note: London Doorway.



Image 9: 485 Dufferin Avenue (c.1881), East Woodfield Heritage Conservation District (July 2009, courtesy Google).



Image 10: 500 Dufferin Avenue (c.1874), individual heritage designated property (February 16, 2018).



Image 11: 517 Dufferin Avenue (c.1881), East Woodfield Heritage Conservation District (April 13, 2017).



Image 12: 521 Dufferin Avenue (1881), East Woodfield Heritage Conservation District (August 25, 2016). Note: London Doorway.



Image 13: 112 Elmwood Avenue East (1888), Wortley Village-Old South Heritage Conservation District (August 2017, courtesy Google).



Image 14: 495 Emery Street East (1890), heritage listed property (June 2014, courtesy Google).



Image 15: 485 English Street (1886), Old East Heritage Conservation District



Image 16: 108 Forward Avenue (1870), heritage listed property (April 2015, courtesy Google).



Image 17: 230 Grey Street (c.1887), heritage listed property (April 2015, courtesy Google).



Image 18: 254 Hill Street (p. 1868), heritage listed property (November 23, 2017).



Image 19: 469 King Street (1872), heritage listed property (April 13, 2017). Note: this is the geographically closest comparison property to the subject property at 567 King Street.



Image 20: 11 Leslie Street (1881), Blackfriars/Petersville Heritage Conservation District (February 5, 2016). Note: London Doorway.



Image 21: 18 Palace Street (c.1870), East Woodfield Heritage Conservation District (June 2014, courtesy Google).



Image 22: 25 Palace Street (1899), East Woodfield Heritage Conservation District (June 2014, courtesy Google).



Image 23: 23 Peter Street (1877), individual heritage designated property (October 22, 2015).



Image 24: 77 Price Street (1885), individual heritage designated property (February 25, 2015).



Image 25: 368 Princess Avenue (1876), West Woodfield Heritage Conservation District (August 25, 2016). Note: London Doorway.



Image 26: 370 Princess Avenue (1900), West Woodfield Heritage Conservation District (July 2016, courtesy Google).



Image 27: 525 Princess Avenue (1885), East Woodfield Heritage Conservation District (February 22, 2019).
Note: London Doorway.



Image 28: 20 Prospect Avenue (1881), East Woodfield Heritage Conservation District (July 2018, courtesy Google).



Image 29: 24 Prospect Avenue (c.1886), East Woodfield Heritage Conservation District (August 25, 2016).



Image 30: 789 Queens Avenue (1880), Old East Heritage Conservation District.



Image 31: 824 Queens Avenue (c. 1894), Old East Heritage Conservation District.



Image 32: 160 Sydenham Street (c.1872), heritage listed property (2016).



Image 33: 175 Sydenham Street (c.1875), heritage listed property (2016).



Image 34: 611 Talbot Street (1868), heritage listed property. Note: London Doorway.



Image 35: 638 Talbot Street (1877), heritage listed property.



Image 36: 640 Talbot Street (c.1874), heritage listed property.



Image 37: 469 Waterloo Street (c.1885), West Woodfield Heritage Conservation District (May 14, 2019).



Image 38: 544 Waterloo Street (c.1880), West Woodfield Heritage Conservation District (October 2018, courtesy Google).



Image 39: 546 Waterloo Street (c.1880), West Woodfield Heritage Conservation District (October 2018, courtesy Google).



Image 40: 745 Waterloo Street (c.1884), heritage listed property (October 16, 2018).



Image 41: 154 Wellington Street (1877), heritage listed property (July 2018, courtesy Google).



Image 42: 225 Wharcliffe Road North (c.1893), Blackfriars/Petersville Heritage Conservation District (October 2010, courtesy Google).



Image 43: 480 William Street (c.1875), East Woodfield Heritage Conservation District (September 25, 2018).



Image 44: 385 Wortley Road (1892), heritage listed property (April 4, 2019).