

Report to the Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Paul Yeoman,
Director, Development Services

Subject: Request to Remove from the Register, Heritage Listed
Property at 1455 Oxford Street East

Meeting on: Monday September 21, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, that the property at 1455 Oxford Street East **BE REMOVED** from the *Register of Cultural Heritage Resources*.

Executive Summary

A Cultural Heritage Evaluation Report for the heritage listed property at 1455 Oxford Street East was completed and determined that the property does not meet the criteria for designation pursuant to the *Ontario Heritage Act*.

Analysis

1.0 Background

1.1 Property Location, Cultural Heritage Status and Description

The subject property at 1455 Oxford Street East is located on the south side of Oxford Street East, between First Street and Ayreswood Avenue. [See Appendix A]. 1455 Oxford Street East is a heritage listed property and is indexed in the City's *Register of Cultural Heritage Resources*. The building on the subject property is described as a one-storey, side gable, postwar brick residence constructed circa 1952 (WSP, 2019, Table 2). The building has minor alterations, including newer windows, small side addition, and the alterations to the front porch (Zelinka, 2020 p3). Adjacent properties, and those in the immediate surrounding area, generally date from the early 1950s and exhibit styling of a developer's vernacular of the period [See Appendix B].

1.2 Rapid Transit and Cultural Heritage

1455 Oxford Street East is located along the London Bus Rapid Transit (BRT) study area in the 'East Area' zone or link. As part of the Transit Project Assessment Process (TPAP) for the BRT project, a Cultural Heritage Screening Report (CHSR) was prepared and was appended to the Environmental Project Report (EPR).

In the CHSR, the screening criteria used was from the Ministry's *Criteria for Evaluating Potential Built Heritage Resources and Cultural Heritage Landscapes*. All properties with buildings or structures along the Rapid Transit corridors that were 40 or more years old were flagged in the CHSR. 1455 Oxford Street East was identified as a property of interest for this reason (being approximately 68 years old).

With the recommendation of the London Advisory Committee on Heritage (LACH), Municipal Council added 347 potential cultural heritage resources identified by the Cultural Heritage Screening Report (CHSR) to the *Register of Cultural Heritage Resources* at its meeting on March 27, 2018 (Municipal Council Resolution, h.iii). All of these 347 properties are 'heritage listed properties.' 1455 Oxford Street East is one of

these 347 properties; identified with cultural heritage resource number CHR-1 (WSP, 2019, Table 1).

The CHRS identified potential indirect 'landscape' impacts to 1455 Oxford Street East, but there were no direct impacts to buildings or structures on the property due to road widening. Indirect impacts, such as those identified for the property at 1455 Oxford Street East, were recommended to be addressed during BRT detailed design. No further cultural heritage work has been undertaken for the property at 1455 Oxford Street East since TPAP.

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, an event, or a people."

'Conserved' is defined in the *Provincial Policy Statement* (2014), "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 retained 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

The *Ontario Heritage Act* enables municipalities to protect properties that are of cultural heritage value or interest.

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. Listing a property on the *Register* is an important action to 'flag' the potential cultural heritage value or interest of properties during decision making processes.

As consultation with the LACH is required to add a property to the Register, consultation with the LACH is required before a property may be removed from the Register by Municipal Council.

2.4 Register of Cultural Heritage Resources

Municipal Council may include properties on the *Register of Cultural Heritage Resources* that it "believes to be of cultural heritage value or interest," pursuant to Section 27(1.2) of the *Ontario Heritage Act*. These properties are not designated, but are considered to be of potential cultural heritage value or interest.

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

2.5 The London Plan

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our City's unique identity and contribute to its continuing prosperity. It

notes, “The quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in.” Policies 572_ and 573_ of *The London Plan* enable the designation of individual properties under Part IV of the *Ontario Heritage Act*, as well as the criteria by which individual properties will be evaluated.

3.0 Cultural Heritage Evaluation

3.1 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:

- i. Physical or design value;
- ii. Historical or associative value; and
- 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*. Should the property not meet any of the criteria, the property should be removed from the Register.

3.2 Consultation

In accordance with Section 27(1.3) of the *Ontario Heritage Act*, the London Advisory Committee on Heritage (LACH) must be consulted prior to Municipal Council making a decision on the request to remove 1455 Oxford Street East from the *Register of Cultural Heritage Resources*. The LACH will be consulted at its meeting on September 10, 2020.

It is a policy and practice of Municipal Council that the removal of a property from the *Register* shall be considered at a public participation meeting before the Planning and Environment Committee. Notification of the request to remove 1455 Oxford Street East from the *Register* was sent to 54 property owners within 120m of the subject property on August 31, 2020, as well as community groups including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Further, notice was also published in *The Londoner* on September 3, 2020.

3.3 Proposed Development and Cultural Heritage Evaluation Report

1455 Oxford Street East is one of (6) parcels that comprise the subject lands for a proposed 18-storey apartment building.^a [See Appendix B, Image 6]. The development is subject to Official Plan and Zoning By-Law Amendments and removal of existing structures on the properties. A Cultural Heritage Evaluation Report (CHER) was submitted by Zelinka Priamo Ltd. (report date March 10, 2020) – on behalf of Red Maple Properties – as a requirement of the *Official Plan-1989* (13.2.3.1) and *The London Plan* (Policy 586), and to satisfy requirements of a complete OP/ZBA application. 1455 Oxford Street East is the only property of the subject lands that is listed on the City’s Register, and is therefore the only parcel subject to a CHER.

3.4 Cultural Heritage Value or Interest

An evaluation was undertaken by Zelinka Priamo using the criteria of *Ontario Regulation 9/06*, and was reviewed by the DS-Heritage Planner. The Heritage Planner concurs with the evaluation and conclusions presented in the CHER that found that the property at 1455 Oxford Street East did not meet the criteria of *Ontario Regulation 9/06* and does not merit protection under Section 29 of the *Ontario Heritage Act*. The CHER did not recommend any further cultural heritage assessment for this property. A summary of the evaluation of the property at 1455 Oxford Street East is highlighted in the table below.

^a The Cultural Heritage Evaluation Report (CHER) submitted by Zelinka Priamo indicates that (8) parcels comprise the subject lands including 648 and 650 Ayreswood Avenue.

Criteria of O. Reg. 9/06		Yes/No
Physical/ Design	Is a rare, unique, representative or early example of a style, type, expression, material or construction method	No
	Displays a high degree of craftsmanship or artistic merit	No
	Demonstrates a high degree of technical or scientific achievement	No
Historical/ Associative	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	No
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	No
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	No
Contextual	Is important in defining, maintaining or supporting the character of an area	No
	Is physically, functionally, visually or historically linked to its surroundings	No
	Is a landmark	No

3.4.1 Physical or Design Values

The building on the property at 1455 Oxford Street East is not unique, or an early example of a style, expression, material, or construction method. This building is similar to the architectural style of the surrounding area and has no outstanding features that would make it distinct from the neighbouring properties. The building on the property does not display a high degree of craftsmanship or artistic merit. Further the property is not known to demonstrate technical or scientific achievement.

3.4.2 Historical or Associative Values

The property at 1455 Oxford Street East has no direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. The property does not yield, or have the potential to yield, information that contributes to an understanding of a community or culture. As a vernacular expression of postwar developer housing, the building on the property is not known to demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

3.4.3 Contextual Values

The building on the property at 1455 Oxford Street East supports the character of the immediate area in the sense that it was part of the build-up of this area in the early 1950s. However, there are no defining features of the area that are unique or historically significant. Finally, the property is not believed to be a landmark in the community.

4.0 Conclusion

The evaluation of the subject property at 1455 Oxford Street East using the criteria of *Ontario Regulation 9/06* found that, as an individual property, it does not meet the criteria for designation under the *Ontario Heritage Act*. The property at 1455 Oxford Street East should be removed from the *Register of Cultural Heritage Resources*.

Prepared by:	Laura E. Dent, M.Arch, PhD, MCIP, RPP Heritage Planner
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services

September 14, 2020
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- Appendix A Property Location
- Appendix B Images
- Appendix C Zelinka Priamo Ltd. Cultural Heritage Evaluation Report (CHER), 1455 Oxford Street East, London, Ontario

Sources

- Corporation of the City of London. n.d. Property files: 1455 Oxford Street East.
- Corporation of the City of London. (2019, Jul 2). *City of London register of cultural heritage resources*. London, ON: Author.
- Corporation of the City of London. (2016, consolidated 2019, Nov 13). *The London plan*. London, ON: Author.
- Corporation of the City of London. (1989). *The 1989 official plan*. London, ON: Author.
- Ontario Heritage Act, (2019, c. 9, Sched. 11). Retrieved from e-Laws website <https://www.ontario.ca/laws/statute/90o18>
- Ontario Ministry of Tourism, Culture and Sport. (2015). *Criteria for evaluating potential for built heritage resources and cultural heritage landscapes: A checklist for the non-specialist*. ON: Queen's Printer for Ontario.
- Ministry of Municipal Affairs and Housing. (2020). *Provincial policy statement, 2020*. Ontario: Queen's Printer for Ontario.
- Municipal Council Resolution. (2018, Mar 27) 5.2/5/PEC. London, ON: Corporation of the City of London. h.iii).
- WSP. (2019, February 27). *City of London, Cultural heritage screening report: London bus rapid transit system*. "Appendix K." Aurora, ON: Author.
- WSP. (2018, January 29). *City of London, Cultural heritage screening report: London bus rapid transit system*. Aurora, ON: Author.
- Zelinka Priamo Ltd. (2020, March 10). *Cultural heritage evaluation report (CHER), 1455 Oxford Street East, London, Ontario*. London, ON: Author.
- Zelinka Priamo Ltd. (2019, April 23). *Proposal Summary – Official Plan & Zoning By-law Amendments, Red Maple Properties, 1453-1459 Oxford Street East & 654-656 Ayreswood Avenue, London, ON (RMP/LON/19-01)*. London, ON: Author.

Appendix A – Subject Property Location

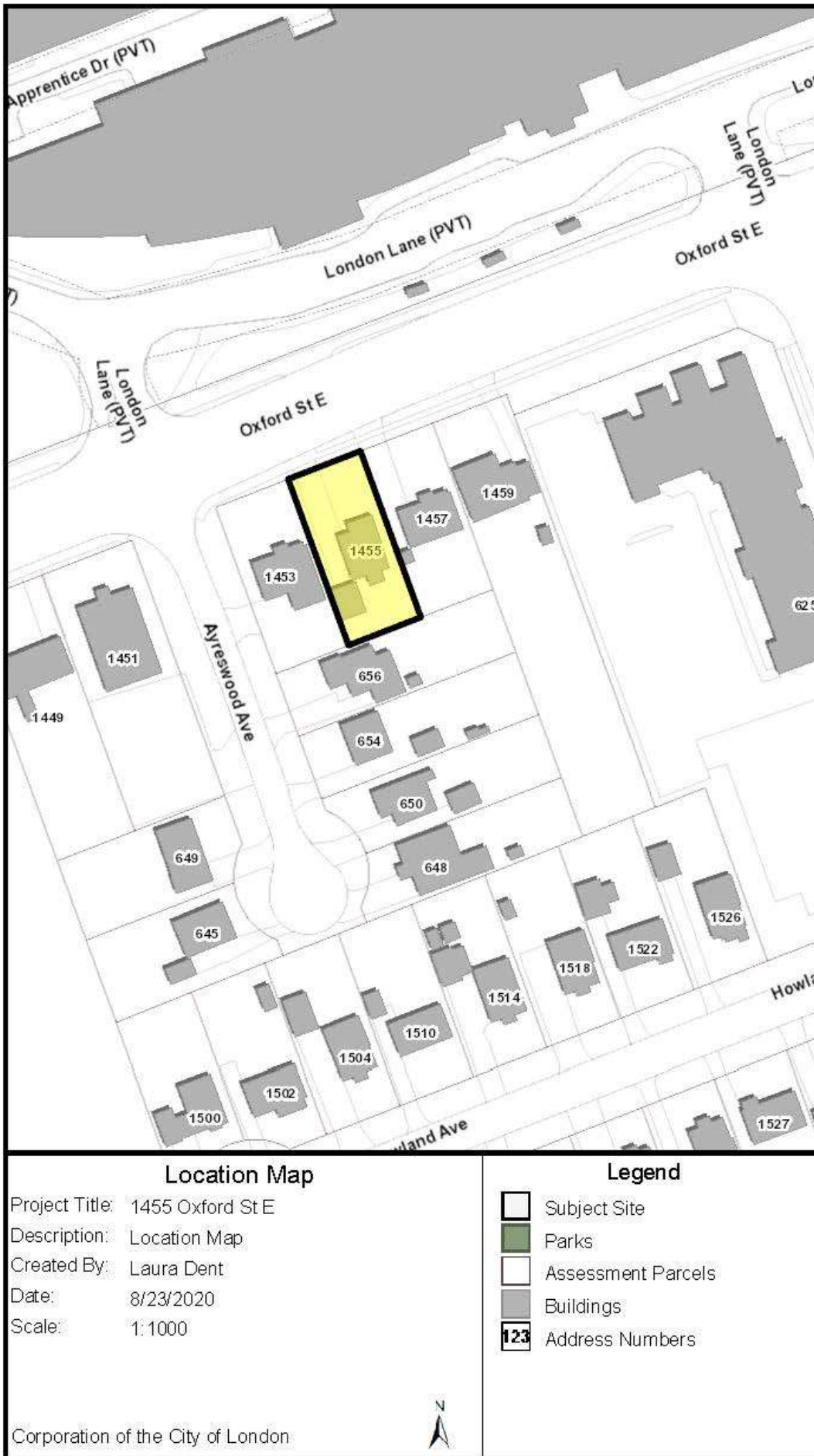


Figure 1: Location Map identifying the subject property at 1455 Oxford Street East

Appendix B – Images



Image 1: 1455 Oxford Street East – front view of porch and entrance (August 24, 2020)



Image 2: 1455 Oxford Street East – view of corner, front and east-side elevations (August 24, 2020)



Image 3: 1455 Oxford Street East – rear view of residence, garage and yard (August 24, 2020)



Image 4: 1455 Oxford Street East – view of east-side elevation (August 24, 2020)



Image 5: 1455 and adjacent property at 1453 Oxford Street – street elevations (August 24, 2020)



Image 6: Parcels comprising subject lands of proposed development (Zelinka, 2019)

Appendix C – Cultural Heritage Evaluation Report

Attached separately