

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Paul Yeoman,
Director, Development Services
Subject: Demolition Request for Heritage Listed Property at
954 Gainsborough Road by 24255284 Ontario Inc.
Meeting on: Monday October 19, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the request to demolish the buildings on the heritage listed property at 954 Gainsborough Road **BE PERMITTED**, and the following actions **BE TAKEN**:

- a) That the Chief Building Official **BE ADVISED** of Municipal Council's intention in this matter; and,
- b) That the property at 954 Gainsborough Road **BE REMOVED** from the *Register of Cultural Heritage Resources*.

Executive Summary

Summary of Request

A demolition request for the heritage listed property located at 954 Gainsborough Road was received on September 1, 2020.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to remove the property at 954 Gainsborough Road from the *Register*, pursuant to Section 27(3) of the *Ontario Heritage Act*, with the effect of allowing the demolition of the buildings on the property to proceed.

Rationale of Recommended Action

An evaluation of the property at 954 Gainsborough Road using the criteria of Ontario Regulation 9/06 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 subject property at 954 Gainsborough Road is located on the south side of Gainsborough Road, east of Hyde Park Road. The property totals 5.3 acres and is located in the former London Township at concession 3 – northern part, lot 24. In addition to a farmhouse on the property, there is a barn and (2) ancillary outbuildings [Appendix A]. The property is currently vacant. Staff undertook a site visit of the property on September 23, 2020.

1.2 Cultural Heritage Status

The property at 954 Gainsborough Road was included on the City's *Register of Cultural Heritage Resources* in 2007. The property is a potential cultural heritage resource.

1.3 Description

The entrance to the property at 954 Gainsborough Road is marked by a crescent drive with a primary dwelling and several farm buildings in a treed setting clustered around this drive. The remainder of the property is open agricultural fields that are actively being farmed. The components of the original farmstead context are still evident.

The primary building on the property is an Ontario farmhouse dating as early as 1863. The farmhouse is a 1 ½ storey vernacular style dwelling exhibiting elements of Gothic Revival influence including a centre gable dormer, lancet window, and symmetrical front façade [Appendix B]. A wing extends at the rear and includes a bay window on the west elevation. Based on similarities in the foundation material, this wing was likely constructed not long after the original farmhouse portion fronting Gainsborough Road. Both foundations are composed of buff brick. A post-1975 contemporary addition extends south at the rear.

The front elevation facing Gainsborough Road has a full-width front porch composed of modern stock wood decking, posts, railing and spindles. The exterior of the farmhouse and contemporary addition is clad in vinyl siding and windows throughout are contemporary vinyl windows. All windows in the original farmhouse have been replaced including casings and interior trim. This includes the lancet window in the front gable. All exterior doors are contemporary steel. Few existing interior features of the original farmhouse remain with the exception of wood floor boards and some floor trim. The basement reveals the (3) part construction of the house – front (facing Gainsborough), small original wing and contemporary addition. The original buff brick foundation is evident as is the poured concrete foundation of the contemporary addition.

The barn is a two-bay timber structure with a side gable roof clad in metal. The barn is clad in board and batten siding and the foundation is poured concrete. Based on the Heritage Overview Report prepared by Stantec (2020), “[t]he use of poured concrete and the presence of wire nails indicate the structure was built in the early to mid-20th century. This is corroborated by the present owner of the property, who indicated that the barn was built in the 1940s after the previous outbuilding collapsed” (Stantec, p4.6). Two outbuildings are located to the south of the barn and appear to be used for storage.

1.4 Property History

The Euro-Canadian history of this property begins with the granting of the north half of Lot 24, Concession 3 by The Crown to Truman Hull in 1848. It is likely that Hull lived on the property as early as 1820. In 1856, a William Smith purchased 49-½ acres of the north portion of the lot from the beneficiaries of the will of Hull and later that year, sold eight acres of land to Lawrence Deginaw and his wife. The original farmhouse on the property was likely built by Angus Fraser and his wife who purchased eight acres from Deginaw in 1857. Two mortgages were taken out by Fraser in 1861 and then in 1867, which dates the construction of the house to this period (Stantec, pp3.5-3.6). The original farmhouse appears on the 1863 Samuel Peters’ Map of the Township of London. The Province of Ontario Gazetteer of 1869 lists Angus Fraser as the Postmaster of Hyde Park Corner and a tailor (McEvoy 1869: 679; Stantec, p3.6). In 1875, Fraser sold the property to Charles Woods and the property changed hands several times until 1927 when the property was subdivided into two additional parcels (currently 968 and 976 Gainsborough Road). The present day property boundaries of 954 Gainsborough Road date from this period. In 1950, the property was included as one of other small farms of interest in the surrounding area under the Veterans Land Act which secured loans/mortgages to settle veterans after the Second World War. The farmhouse on the property has remained occupied, the barn used, and the acreage farmed until recently. The property was acquired by the current owner on September 1, 2020.

2.0 Legislative and Policy Framework

2.1 Provincial Policy Statement

Section 2.6.1 of the *Provincial Policy Statement (2020)* directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

‘Significant’ is defined in the *Provincial Policy Statement (2020)* as, in regards to cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest.”

‘Conserved’ is defined in the *Provincial Policy Statement (2020)*, “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.

2.2.1 Ontario Regulation 9/06

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 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.

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.

3.0 Demolition Request and Consultation

A request to demolish the existing buildings on the property located at 954 Gainsborough Road was received on September 1, 2020. Timelines legislated pursuant to the *Ontario Heritage Act* were suspended by Ontario Regulation 73/20 when the demolition request was received, but have subsequently been lifted as of September 14, 2020. Ordinarily, Municipal Council must respond to a notice of intent to demolish a heritage listed property within 60-days, or the request is deemed consented.

In accordance with Section 27(1.3) of the *Ontario Heritage Act*, the London Advisory Committee on Heritage (LACH) is being consulted at its meeting on October 14, 2020 regarding this demolish request and a decision by Municipal Council is expected at the October 27, 2020 meeting. The 60-day statutory time frame for council decision will have been satisfied.

It is a policy and practice of Municipal Council that the demolition of heritage listed properties shall be considered at a public participation meeting before the Planning and Environment Committee. This item will be heard at the October 19, 2020 PPM of the Planning and Environment Committee. Notification of the demolition request was sent to 292 property owners within 120m of the subject property on September 28, 2020, as well as to 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 October 1, 2020. At the time of writing, no replies have been received regarding this demolition request.

4.0 Cultural Heritage 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. The following Table summarizes the evaluation of the subject property at 954 Gainsborough Road 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	<ul style="list-style-type: none"> The primary building on the property has been identified as an Ontario farmhouse. A count of 'Ontario farmhouse' in the City's <i>Register</i> revealed no less than 100 properties mention. Attributed to the number of Ontario farmhouses, the subject property cannot be considered rare or unique from a City-wide perspective. There are stronger examples in the City of this style, type, expression, material, and construction method which retain a higher degree of integrity.
	Displays a high degree of craftsmanship or artistic merit	<ul style="list-style-type: none"> The property at 954 Gainsborough Road does not display a high degree of craftsmanship or artistic merit.
	Demonstrates a high degree of technical or scientific achievement	<ul style="list-style-type: none"> The property 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	<ul style="list-style-type: none"> The property at 954 Gainsborough Road was identified in a Historical Overview Report (Stantec) as being one of what is assumed to be many other small farm holdings where mortgages/loans were secured through the Veterans Land Act. Although interesting, given the extent of the Veterans Land Act (VLA) after the Second World War, this historical note is not unique to this property alone, nor is the holding of a mortgage/loan a heritage attribute that is directly associated with the existing buildings that remain on the property. The VLA mortgage holding at 954 Gainsborough Road did not result in any tangible house being built. There are other examples in the City of London where there is a concentration of built heritage resources <u>directly</u> associated with the Veterans Land Act: the Willow Drive area, at Rathowen and Rathnally Streets, and areas just west of Wharncliffe Road and around Easy Street.
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	<ul style="list-style-type: none"> The property 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	<ul style="list-style-type: none"> The buildings on the property at 954 Gainsborough Road are not known to demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

Criteria for Determining Cultural Heritage Value or Interest		
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"> • The character of the area surrounding 954 Gainsborough Road is transitioning from a once rural, farm setting to one that is built-up with new suburban development. • The property does not sufficiently represent the character of the 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	<ul style="list-style-type: none"> • The property contains remnants of a 19th century farmstead setting, however, the barn is not original and the integrity of the Ontario farmhouse has been lost. • The property at 1104 Sarnia Road is a stronger example of an area farmstead that is physically, functionally, visually, or historically linked to its surroundings.
	Is a landmark	<ul style="list-style-type: none"> • The property is not believed to be a landmark in the community.

5.0 Conclusion

Since 2007, the subject property at 954 Gainsborough Road has been included on the City's *Register of Cultural Heritage Resources*. The evaluation of the subject property 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 demolition of the buildings on the property should be allowed to proceed.

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 Director, Development Services

October 8, 2020
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- Appendix A Property Location
- Appendix B Images
- Appendix C Heritage Overview—954 Gainsborough Road, London ON (July 6, 2020)

Sources

Corporation of the City of London. n.d. Property files: 954 Gainsborough Road.

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.

McEvoy, H. (1869). *The Province of Ontario gazetteer and directory*. Toronto, ON: Robertson & Cook.

Ministry of Municipal Affairs and Housing. (2020). *Provincial policy statement, 2020*. Ontario: Queen's Printer for Ontario.

Peters, Samuel. (1863). Map of the Township of London, Canada West Map. Author. Retrieved September 30, 2020 from the University of Western, Western Libraries, London Historic Map Collection, <https://ir.lib.uwo.ca/mdc-London-maps/33/>

Stantec Consulting Ltd. (2020, Jul 6). Heritage Overview—954 Gainsborough Road, London, Ontario. London, ON: Author.

Appendix A – Subject Property Location

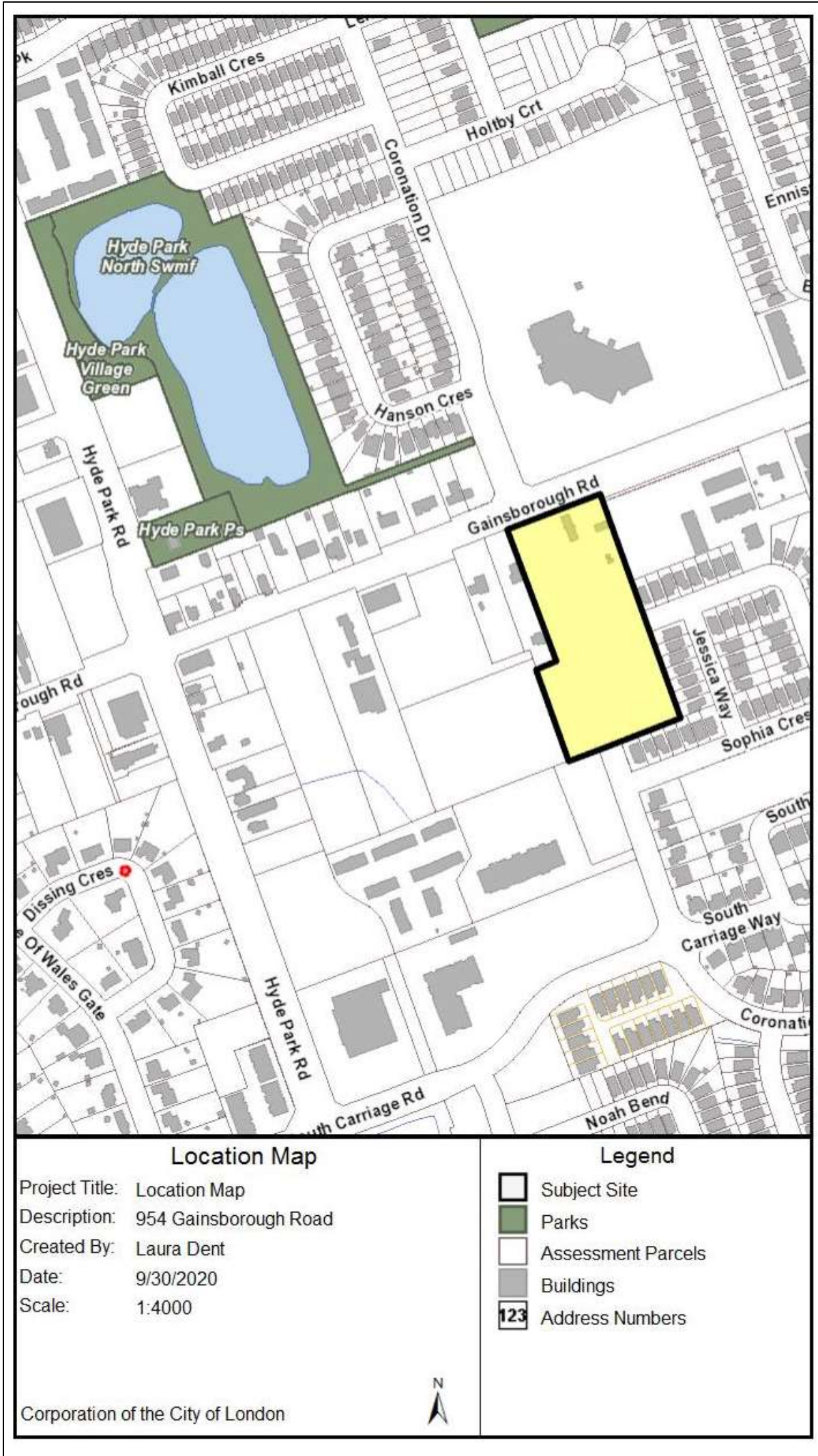


Figure 1: Location Map identifying the subject property at 954 Gainsborough Road



Figure 2: Aerial view of subject property showing crescent drive, house, barn and outbuildings

Appendix B – Images (September 23, 2020)



Image 1: Crescent entrance drive



Image 2: View of farm building cluster from fields



Image 3: View of outbuildings amidst overgrown landscaping



Image 4: Barn within farmstead setting



Image 5: Rear and side view of barn



Image 6: Barn, interior view



Image 7: Front façade



Image 8: Side elevation, west



Image 9: Side elevation, east



Image 10: Exterior view of bay window showing buff brick foundation



Image 11: Interior view of original farmhouse front room showing wide floorboards and trim



Image 12: Interior view of window replacements, casing and trim



Image 13: Interior view of contemporary addition



Image 14: Basement of original farmhouse showing post and floor joist detail



Image 15: Basement of original farmhouse showing floor joist and foundation detail



Image 16: Basement of original farmhouse

Appendix C – Heritage Overview — 954 Gainsborough Road

Attached separately