

Architectural Conservancy Ontario – London Region Branch  
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Mayor Ed Holder – mayor@london.ca

**Re: Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street**

Dear Councillors and Mayor Holder:

On behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

This is an updated version of our November 4, 2020 submission to Meg Sundercock.

**Background**

As you know, the double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London's first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

The extensive heritage attributes of 93-95 Dufferin Street are summarized as follows in the designation by-law:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly facades including quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches on original building westerly façade;
- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;

- Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway

City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

## Our Concerns

Our concerns regarding this application can be summarized as follows:

- In our opinion, approval of the requested by-law amendment as it pertains to 93-95 Dufferin Street would be contrary to Section 1.7.1(e) of the 2020 Provincial Policy Statement (PPS) which states that “Long-term economic prosperity should be supported by ... conserving features that help define character, including built heritage resources and cultural heritage landscapes”.
- Approval as it pertains to 93-95 Dufferin Street would also be contrary, in our opinion, to Sections 2.6.1 and 2.6.3 of the PPS which state that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved” and that “Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved”.
- There are examples, in Toronto, Montreal, and elsewhere, of heritage buildings being conserved in their entirety within large-scale new developments. Our opinion is that conservation of at least the northern and western façades of 93-95 Dufferin Street, in situ (as required by the bonus by-law), would enhance the proposed development and should be viewed by the property-owner as an opportunity for design excellence rather than an inconvenience.
- Bonusing was negotiated by the city as a trade-off in return for certain commitments by the then-owner of this property when permission was granted to demolish Camden Terrace and when site plan approval was granted. The costs of adhering to the negotiated agreement and complying with the resulting zoning by-law (including the in situ retention of the north and west façades of 93-95 Dufferin Street) would presumably have been factored into the price negotiations when the current owner purchased this property.
- The bonusing was granted subject to conditions set out by the city, and commitments made by the property-owner, which included the “complete retention, in situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment” and the “incorporation of significant heritage attributes of the original building, including the northern and western facades, in situ, into the overall design of Phase 3 of the new development” and – with respect to the former Camden Terrace – “construction of a commemorative monument” which essentially required the reconstruction of the original façade using the

original building materials that were salvaged during its demolition. The commemorative monument was to be placed inside the east lobby of the new building with “clear glazing along the length of the Talbot Street building façade which is east of the commemorative monument so as to maintain public views to the monument in perpetuity”.

- If the current property-owner no longer wishes to abide by the agreed-on conditions, then it would be appropriate in our opinion for the city to rescind the bonusing that was previously granted and also to rescind any approvals that were conditional on the agreed-on commitments being met.

With respect to the Camden Terrace commemoration, it may be reasonable to permit the property-owner to place the commemorative monument on the exterior of the east side of the building facing Talbot Street. This accommodation should be subject to all of the criteria set out in Sections 4b and 4c of the relevant bonus zone by-law (B-38). This should include a requirement that the commemorative monument retain the proportions of the original building which included six (not eight) terrace residences.

### **Recent Information Regarding 93-95 Dufferin Street**

The February 10, 2021 LACH meeting agenda package includes a February 12, 2020 letter prepared by Barry Webster and Andrew Holford of EXP Services. This 3-page letter forms the basis for the property-owner’s request to demolish and then “rebuild” the façade of 93-95 Dufferin.

The Webster/Holford letter states that the building was examined by a "structural engineer familiar with preservation of heritage buildings". However, that structural engineer is not named and has not prepared his/her own report. This seems strange. In addition, neither Mr. Webster nor Mr. Holford (nor the structural engineer whose opinion they are expressing) seem to have considered options such as performing the masonry restoration BEFORE adjacent construction begins. Another option that appears not to have been considered is to retain the entire building. There are many examples of innovative design where entire heritage structures are incorporated into a newer building, with some of the old exterior walls forming dividing walls or architectural features within the interior of the new structure.

It should be noted that 93-95 Dufferin was occupied, and completely functional, until 2019. This said, it is not surprising that some masonry repairs are needed. The building is 150 years old, and maintenance was likely deferred in recent years as the result of the development proposal for this location.

Given the contentious nature of the process which ultimately led to the designation of this property and the requirement to preserve the north and west façade, it does not seem appropriate to rely on only one opinion here – particularly when that one opinion is very brief, is somewhat ambiguous, and when it is unclear whose opinion it is. As many of you will recall, this development that has already seen more than its share of controversy.

Earlier this week, we wrote to Ms. Sundercock and Ms. Dent to suggest that the city obtain a peer review and/or second opinion with respect to the condition of 93-95 Dufferin. We respectfully ask that the PEC to direct staff to take such an action. In our view, the involvement of an experienced heritage architect and a mason with heritage brick repair experience would provide helpful insights.

### **Additional Comments Regarding Camden Terrace**

The original zoning by-law amendment application (in 2020) proposed a commemorative monument that would include



eight terrace residences. The summary in the recent Public Meeting Notice states six, but the rendering shows eight. Clarification would be appreciated. Camden Terrace was made up of six terrace residences, not eight.

The current zoning requires the commemorative monument to incorporate the heritage attributes of the Camden Terrace façade. The requested zoning makes no mention of “heritage attributes”. Again, clarification would be appreciated.

We appreciate your taking our comments into consideration. If you have any questions regarding our submission, please contact me.

Sincerely,

Kelley McKeating  
President, Architectural Conservancy Ontario – London Region

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