

From:

Sent: Friday, May 21, 2021 3:53 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] request for delegation status 1 of 2

Request for Delegation status: Planning and Environment Committee

We request that the Planning and Environment Committee designate the properties associated with the Kent Brewery independent of a planning application.

The Heritage Act intends that designation be based on merit. The Act has built-in provisions to protect built heritage from political interference. These provisions include:

- (a) designation does not require property owner approval;
- (b) designation does not require public approval;
- (c) structural integrity is not considered;
- (d) only one of the designation criteria must be met.

This last point is to protect buildings from aesthetic bias (i.e., to protect buildings that are plain, but rich in cultural heritage).

The Ontario government has introduced changes to the Heritage Act that require municipalities to bring forward Notices of Intention to Designate within 90 days of a "Prescribed Event" (i.e., the Notice of a Complete application under the Planning Act). Other jurisdictions such as the City of Toronto have already adopted a 'designate first' approach with all new planning applications.

The London Plan clearly states that heritage preservation is policy. In such circumstances, Bonus Zoning should not be awarded for preserving heritage. If it is policy to protect built heritage, then that policy should be upheld as practice.

Council solidified this idea when they rejected a demolition request by Old Oak Properties of 93-95 Dufferin Street, citing both policy in the London Plan and the Provincial Policy Statement as rationale for not approving the demolition. The Bonus Zone awarded to Old Oak Properties was given under the 1989 Official Plan.

Bonus Zones should not be awarded for adhering to stated policies. The public loses opportunities for community benefits that would be hard to gain otherwise.

We request that designation be an independent process as intended by the Heritage Act.

Despite the London Plan, a fundamental unease persists as to how the Civic Administration and Council are approaching heritage preservation in this city. Several MFIPPA requests were filed because of this nagging unease that pits the public's desire to preserve their heritage and Council's desire to intensify development. The London Plan was intended to erase this competition but it has only intensified with the Kent Brewery designation.

Attached are emails released through the MFIPPA process that provide some credence to the 'unease' expressed above and for an independent designation process. What is not released here is the large volume of research documents and reports associated with the Kent Brewery Buildings on Ann Street.

Sincerely,

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