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D. Menard:

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	DEMOLITION REQUESTS - HERITAGE PROPERTIES ABOUTOWN TRANSPORTATION LIMITED 275, 277 & 281 THAMES STREET PUBLIC PARTICIPATION MEETING APRIL 23, 2013: NOT BEFORE 5:00 P.M.

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the following actions regarding the listed properties located at 275, 277 and 281 Thames Street **BE TAKEN**:

- i) The Chief Building Official **BE ADVISED** that Municipal Council does not intend to designate the properties located at 277 and 281 Thames Street under Section 29 of the Ontario Heritage Act; it being noted that the London Advisory Committee on Heritage(LACH) has been consulted on this matter and;
- ii) The attached Statement of Cultural Heritage Value and Interest regarding the property located at 275 Thames Street **BE APPROVED**; it being noted that the LACH has been consulted on this matter and;
- iii) If the applicant concurs with a deferral of the demolition request for 275 Thames Street, then Notice of Intent to designate the property located at 275 Thames Street pursuant to Section 29 of the *Ontario Heritage Act* for the reasons identified in the attached Statement of Cultural Heritage Value or Interest (Appendix 3) **BE PREPARED**, but that such Notice of Intent to designate the property **BE DEFERRED** pending the possible relocation of the main building to another site.
- iv) Should the relocation of the main building to a new site not be possible, Municipal Council **BE REQUESTED** to issue a Notice of Intent to designate the property located at 275 Thames Street for the reasons identified in the attached Statement of Cultural Heritage Value or Interest (Appendix 3); it being noted that should the main building be successfully located to another site, a revised Statement of Cultural Heritage Value or Interest to refer to its new location shall be required.
- v) Should the relocation of the building at 275 Thames Street require a zoning amendment at the receiving site adjacent to Beth Emanuel Church, staff **BE DIRECTED** to open a city initiated zoning amendment to expedite this process.
- vi) Staff **BE DIRECTED** to assist with the historical interpretation of the Thames Street neighbourhood through interpretive signage / commemorative monument in a place easily accessible to the public; it being noted that consultation among the Historic Sites Committee, the LACH and the FSCPP be encouraged.

IT BEING NOTED that the archaeological / heritage community hopes to initiate a community driven archaeological assessment of the site and that staff will advise Council should there be a request for additional support for such an assessment.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None

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D. Menard:

BACKGROUND

Requests by the owner have been made for the demolition / removal of three properties located at 275, 277 and 281 Thames Street. (Appendix 1) 275 Thames Street is listed as a Priority 1 structure on the City's 2006 *Inventory of Heritage Resources*, while 277 Thames and 281 Thames are listed as Priority 3 structures. A listing on the Heritage *Inventory* requires the demolition or removal of the properties to be considered at a public meeting of the Planning and Environment Committee with a resolution from municipal Council within a 60 day period following the notice of intent to demolish by the owners. Requests for demolitions of listed properties also require consultation with the London Advisory Committee on Heritage. The LACH received notification of the requests for demolition at its March meeting and its recommendations with respect to these will come forward following its meeting on April 10.

Notification of the requests for demolition and the public participation meeting appeared on the Civic Page in the *Londoner* and through a 60 metre radius letter to property owners prior to April 23 PEC.

The Properties - 281 Thames Street

1. The structures at 281 Thames Street include both a former residence in the Ontario Cottage style and a separate garage. According to the *Inventory*, the residence may date to c. 1878. It is listed as a Priority 3 building suggesting that its heritage significance is related to its context on the streetscape where is similar in size and setback, and relative age to the others further to the south. It has been altered with a later rear addition at an unknown time.

The building has been vacant for a number of years and used only for storage by the property owner. It is not in liveable condition at present. The floor in the rear addition has collapsed.

In the opinion of staff, the building does not merit designation under the Ontario Heritage Act as its main importance rests with its connection to the buildings to the south, especially 275 Thames Street. If the adjacent buildings are demolished or removed, the building at 281 Thames loses its contextual value.

2. 277 Thames Street

The structure at 277 Thames Street is a one and half storey residential building built c. 1881 in the vernacular style. It, too, has been used for storage purposes only in recent years and has suffered extensive deterioration. The owner indicates that there is extensive mould throughout the upper floor. The removal of the adjacent building at 275 would reduce the contextual value of the building at 277 Thames.

3. 275 Thames Street

The structure at 275 Thames Street is a single storey frame residential building in a cottage style dating to c. 1848 according to the *Inventory*. As well, there is an unattached building at the rear of the property. In terms of the main building, what remains today is the original building with two later additions. Following the relocation of the former chapel in 1869 to the current site of Beth Emanuel, the building at 275 Thames was used for residential housing until 2000. Since that time, it has been used for storage purposes by Aboutown Transport. At present, it is in fair condition. The more recent additions include an attached garage and a rear kitchen unit, both of which are not historic and are in extremely poor condition. The adaptive reuse of this building would require extensive rehabilitation.

The property at 275 Thames is given a much higher priority listing (Priority 1) than its

Agenda Item #	Page #

D. Menard:

neighbours both to the north and the south on Thames Street. Not only does it appear that the building dates to a significantly earlier time (c. 1848), in contrast with its neighbours dating to the 1870s and 1880s, it has been given the highest priority on the basis of its initial use as a fugitive slave chapel in the pre-American Civil war period when it became a focal point for the Canadian terminus of the underground railway and for its use as a chapel for the early Black community in this area.

The building was plaqued by the Library’s Historic Sites Committee in 1986 attesting to its historical significance.(Appendix 5) Recent research has established a chain of title dating to 1847 when Crown Land was acquired. One of the land transaction instruments makes it clear that the purpose for the building was to establish a chapel for the Black community in the area. Documented sources clearly link the building at 275 Thames Street to the larger black community known to be there in the mid-nineteenth century.

The Issues with respect to Demolition

The requests by the owner to demolish these three structures raise several issues:

1. Are any of the structures worthy of designation as properties of cultural heritage value or interest? Both the Municipal Official Plan and the Provincial Policy Statements state that significant cultural heritage resources should be identified and conserved. Designation under the *Ontario Heritage Act* is usually the means by which a municipality achieves this. The London Advisory Committee on Heritage at its meeting on April 10 approved a report from its Stewardship sub-committee that recommended the designation of the residence at 275 Thames Street and further stated that the former residences at 277 and 281 Thames Street were not worthy of designation. The LACH has provided a statement of cultural heritage interest or value with respect to the property at 275 Thames. (Appendix 3)

At the LACH meeting on April 10, there was extensive discussion as to whether or not the building should be designated prior to its removal or designated once relocated to another site. Designation on the site immediately would prevent demolition until the designation matter is resolved and might encourage fundraising efforts to raise monies for aspects of a project described below. Designation on its present site, would require heritage alteration approval to remove the building to another location.

Since designation is placed on title, the property would retain its designation after the building was removed. A deferral of designation would allow for the building’s removal without going through the heritage alteration process. It would also remove a potential future constraint on the property owner. However, this would also leave the building more unprotected in terms of the possibility of demolition.

2. Should the building at 275 Thames be retained on the site or can it be relocated? Awareness of the requests for designation became widespread through the press very quickly after the matter was brought to the attention of the LACH in March. Since that time a community organization, The Fugitive Slave Chapel Preservation Project (FSCPP), has developed to respond to the demolition requests. An important component of that organization is the leadership provided by the congregation of Beth Emanuel church at 430 Grey Street. Beth Emanuel became the church constructed by members of the mid-nineteenth century black community to replace the former chapel. Beth Emanuel is currently designated under the Ontario Heritage Act. The FSCPP has organized quickly and has attracted community support from a number of groups, organizations and individuals.

By chance, the Beth Emanuel Church owns a vacant lot at 432 Grey Street,

Agenda Item #	Page #

D. Menard:

adjacent to the Church. The FSCPP has come forward with a proposal that would seek the removal of the building at 275 Thames Street for relocation to the vacant parcel at 432 Grey. Subsequently, Beth Emanuel would like to rehabilitate the former chapel to facilitate its community outreach program and to provide a place of study related to black history in London.

It should be noted that the present owners of the Chapel, Aboutown Transport, have indicated their support for the sale of the building for a token amount, its removal to the Grey Street location and for the erection of a public monument or sign to interpret the Thames Street area as the original home to many of London’s early Black residents including the former fugitive slave Chapel and its historic associations.

Preliminary investigation has led to the conclusion that it is quite feasible to move the church, rather than disassembling it and rebuilding it later. Should such a move take place, it is recommended that the attached garage and the small rear addition attached to the kitchen be removed to facilitate the move.

Relocation to another site means that the contextual values that exist at present would be lost. However, this may be overcome somewhat with detailed signage that could relate to the broader history of the former neighbourhood.

The demolitions / removal of all three structures, with a potential fourth structure to be demolished would significantly alter the existing, coherent, streetscape on the west side of Thames Street leaving two or three properties to the south “stranded.” However, the current condition of 275, 277 and 281 would suggest they are uninhabitable and may have to be removed for safety’s sake. As this area is on the Thames River Floodway, redevelopment opportunities are limited.

3. Should the area be assessed for archaeological information? The LACH recommends that the area be subject to an archaeological assessment because of its known connections to an early residential community. An archaeological investigation may reveal artifacts related to that early development. Any artifacts recovered may be important in the long term study of this aspect of our history. This may be an opportune moment to do such an investigation.

The City’s Archaeological Potential Map shows that there remains archaeological potential on the rear portions of the parcels for which demolition is requested. (Appendix 1) Normally, a request for the redevelopment of those areas would trigger a mandatory requirement that an archaeological assessment be done, starting with a Phase 1 investigation. This would lead to a Phase 2 with some pit hole digging involved. Depending on what is found, a stage 3 or 4 assessment might be required. As the owner is not seeking a redevelopment of the site at this time, a mandatory assessment is not required. However, there may be real value in carrying out such an assessment now as it might better enable an interpretation of the site. Archaeological experts with the LACH recommend that such an assessment be done prior to any demolition or relocation in case buried artifacts are compacted by the use of heavy machinery. The owner has indicated a willingness to allow an assessment but has noted that time is a factor in this.

The financing of such an assessment is unclear at present although there are indications that expert volunteers may be brought together quickly to provide a Stage 1/ Stage 2 assessment. The LACH is recommending that the municipality provide funds to support a volunteer driven assessment.

4. How should the site /area be recognized if the building is removed? Previously, the Historic Sites Committee had plaqued the building at 275 Thames. (Appendix 4). That plaque was removed by a previous owner. It is possible to replace that plaque and Historic Sites has indicated a willingness to do so, possibly working

Agenda Item #	Page #

D. Menard:

with the LACH to place a plaque on the building once it is relocated.

The former neighbourhood, “The Hollow” is worthy of recognition itself as a reminder of the historical development of the community there and its subsequent development. The owner has indicated a willingness to work with the community in establishing a monument or interpretive signage, possibly on the parcel of land at 275 Thames or perhaps elsewhere in the area.

Council Options

Council has a number of options with respect to these requests for demolitions. As is required for listed properties, Council must make its response within the 60 days allowed by the Act following the owner’s request for demolitions unless the owner agrees to a deferment of the demolition request for one or all of the buildings pending the outcome of other discussions or activities.

1. Council may advise the Chief Building Official that it does not intend to designate any of these buildings thereby allowing the Chief Building Official to issue the requested demolition permits.
2. Council may recommend the demolition of some of the buildings and the designation of others. A notice of its intent to designate a building, with an attached statement of cultural heritage value or interest would halt any demolition request pending the outcome of the designation issue. This could include an appeal to the Conservation Review Board should the owner object to the designation.
3. Council may request the applicant to defer a demolition request pending the outcome of various discussions and activities such as an archaeological assessment and the preparation of a building pad on which a relocated building might be placed. Such a request for deferral may be accompanied by a deferral of the designation request.
4. Council may request that an archaeological assessment be conducted on these sites and assist with the funding of such an assessment. Unless the owner seeks a redevelopment, there is no requirement for mandating an archaeological assessment.
5. Council may wish to assist in the preparation of interpretive signage or other means by which to mark the cultural heritage legacy of the early development of this community and its historic associations.
6. Council may wish to assist in the relocation and rehabilitation of the former Fugitive Slave Chapel at a new location at 432 Grey Street. Such assistance may be financial in nature but could also include a city initiated rezoning to allow for the new use of a rehabilitated property on that parcel. As well, other permit fees might be removed to accommodate the move and new use.
7. Council may expropriate one or more of these properties to be retained in order to conserve the historic streetscape. At present, there is no estimate as to the cost of such an expropriation which would conflict with the proposed reuse to expand parking related to the Aboutown Transport Company’s operations.

Agenda Item #	Page #

D. Menard:

Recommendations

Staff advises that this building and this neighbourhood is an important cultural heritage resource. Demolition would remove a significant portion of a legacy that contributes to the understanding of our city and its development not only with respect to architectural changes but more importantly, in recognition of the cultural diversity of the City and its connections to historic events. However, the current condition and future prospects of the buildings must also be considered along with the interests of the property owner. Given the significant offer by Beth Emanuel Church and the activities of the FSCPP, staff recommends:

- That notice of Council’s intent to designate the property at 275 Thames Street be given by Council with the attached statement of cultural heritage value or interest but that such notice be deferred pending a possible relocation of the building to another site. If this is achieved, then notice of designation could be given for the building on the property at 432 Grey Street with a revised statement. Such a deferral would require the consent of the owner to defer the demolition request until some point in the future. Such a date should be established.
- That Council note the removal of the attached garage and rear addition to the residence at 275 Thames Street prior to any relocation efforts of the main building does not require a demolition permit.
- That Council further assist with the interpretation of the former neighbourhood through signage and a request to Parks Planning to assist with the preparation and location of such a monument or sign in a place easily accessible to the public. This may not necessarily be located on the actual site of 275 Thames Street itself. It should be noted that such an interpretive effort be done in consultation with Historic Sites, LACH, the owner of the property and staff.

PREPARED BY:	SUBMITTED BY:
D. MENARD HERITAGE PLANNER POLICY PLANNING & PROGRAMS	G. BARRETT, AICP MANAGER POLICY PLANNING & PROGRAMS
RECOMMENDED BY:	
J.M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

April 12, 2013
DM/

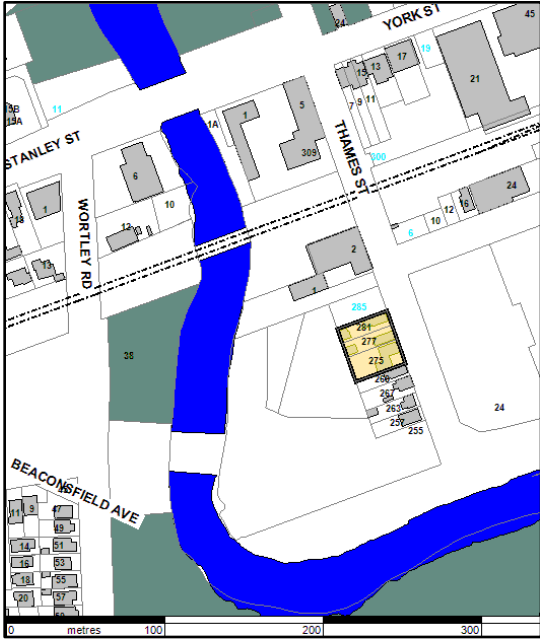
Attach: Appendix 1-Location Maps; Appendix 2- Photos; Appendix 3- Draft Statement of Cultural Heritage Value or Interest; Appendix 4 –Photos 1986 Plaquing Ceremony
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Agenda Item # Page #

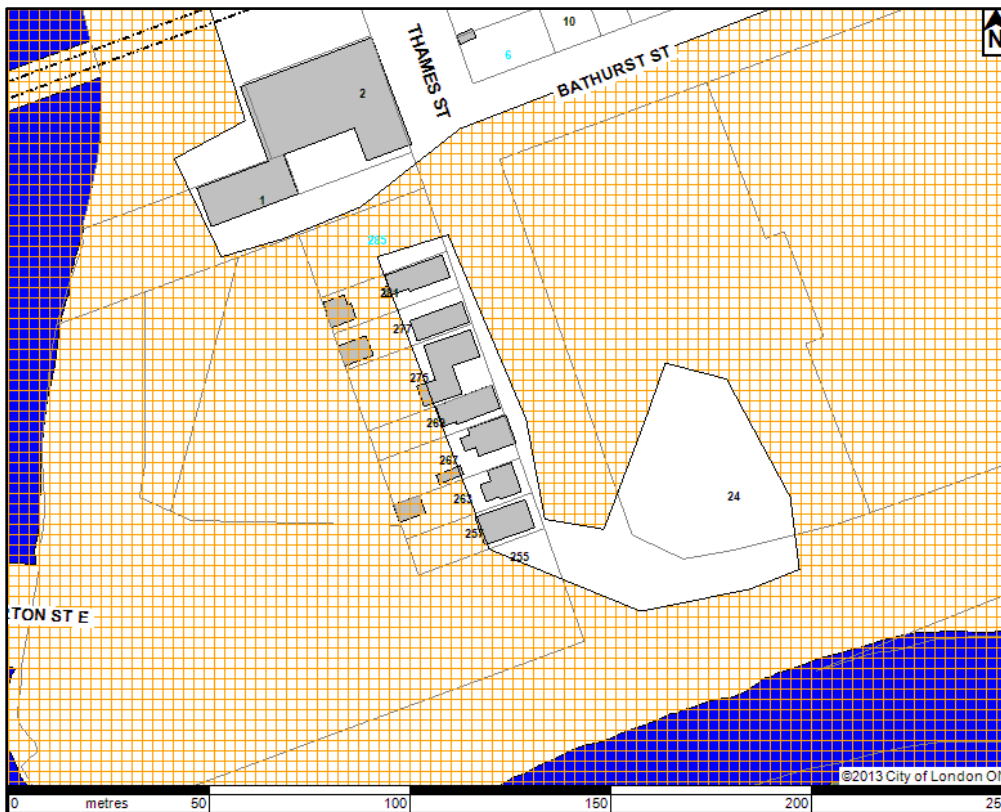
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D. Menard:

Appendix 1: Location Maps



Archaeological Potential Map



Agenda Item #

Page #

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D. Menard:

Appendix 2 - Photos



275 Thames –former chapel (Priority 1)
(attached garage – later addition)



275 Thames – rear –later addition



277
Thames
(Priority 3)



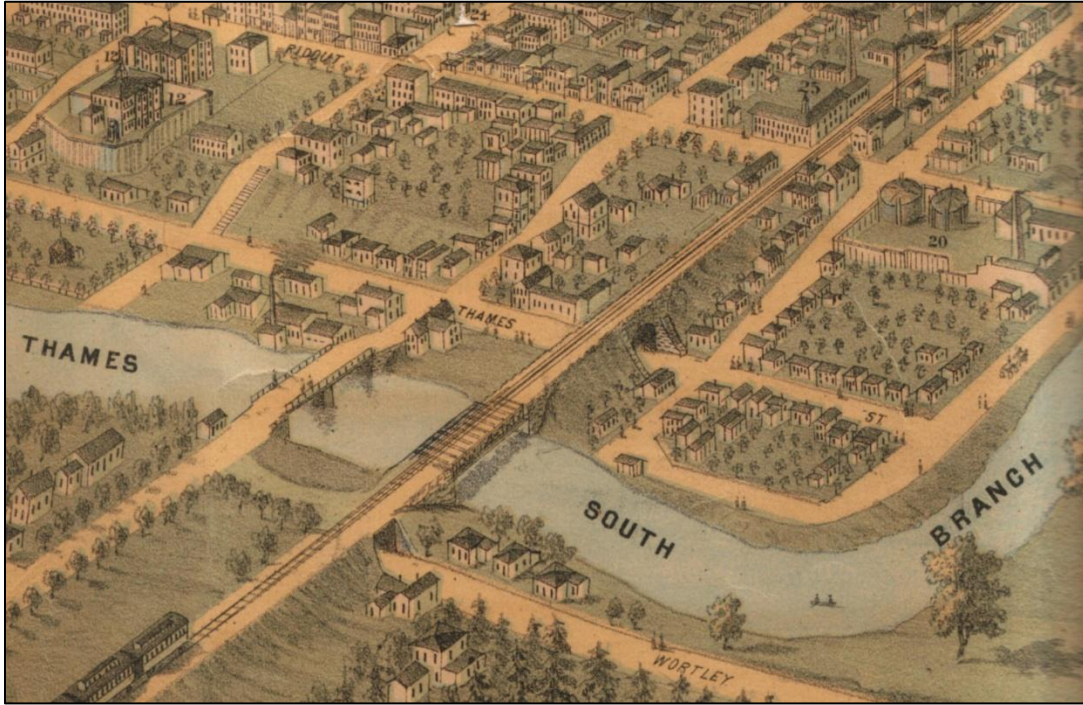
281 Thames (Priority 3)

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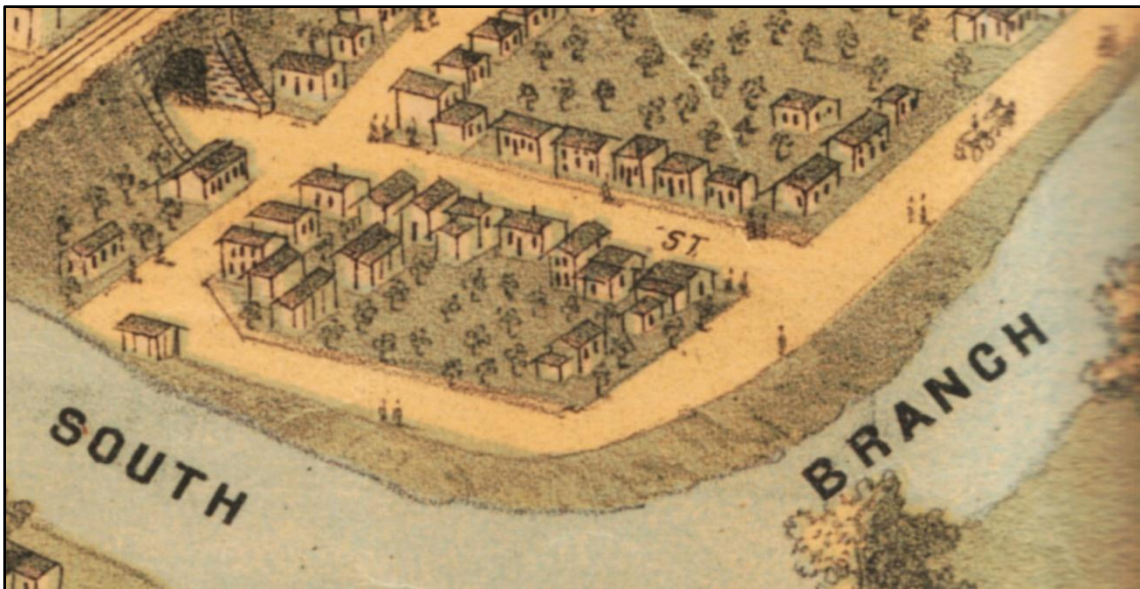
D. Menard:

Appendix 2- Historic Map

south London –Birds Eye Map- 1872



“The Hollow” –detail from the 1872 Birds Eye Map



Agenda Item #	Page #

D. Menard:

Appendix 3: Draft Statement of Significance- 275 Thames Street

Description of Property

The principal structure at 275 Thames Street is a one storey wood frame residential dwelling built c. 1848 in the vernacular style. It is located on the west side of Thames Street, Plan Nil, Part Lot 26 S/S Bathurst Street, in the City of London, County of Middlesex.

Statement of Cultural Heritage Value or Interest.

The cultural heritage interest of the property and building at 275 Thames Street is based on its associations with the formative history of London. More specifically, the building is associated with the early development of the Black community in London, its later connections to the Underground Railway and to the emergence in London of a branch of the African Methodist Episcopal Church, later renamed the British Methodist Episcopal Church. From the information available, the building represents the former “Fugitive Slave Chapel”, probably constructed around 1848. The building and the adjacent area became a terminus of the Underground Railway with probable links to the activities of John Brown, the American anti-slavery advocate of the pre-Civil war period. There are specific references in early sources that suggest John Brown visited London on more than one occasion and it is possible the chapel was associated with these visits. In 1869, the building at 275 Thames was sold to James Seale, a cooper. The British Methodist Episcopal Church branch relocated to its current location at 430 Grey Street. Subsequently, the building at 275 Thames Street was used for residential purposes. From 1944 to 2000 it was owned and occupied by members of the Mancari Family.

Description of Heritage Attributes

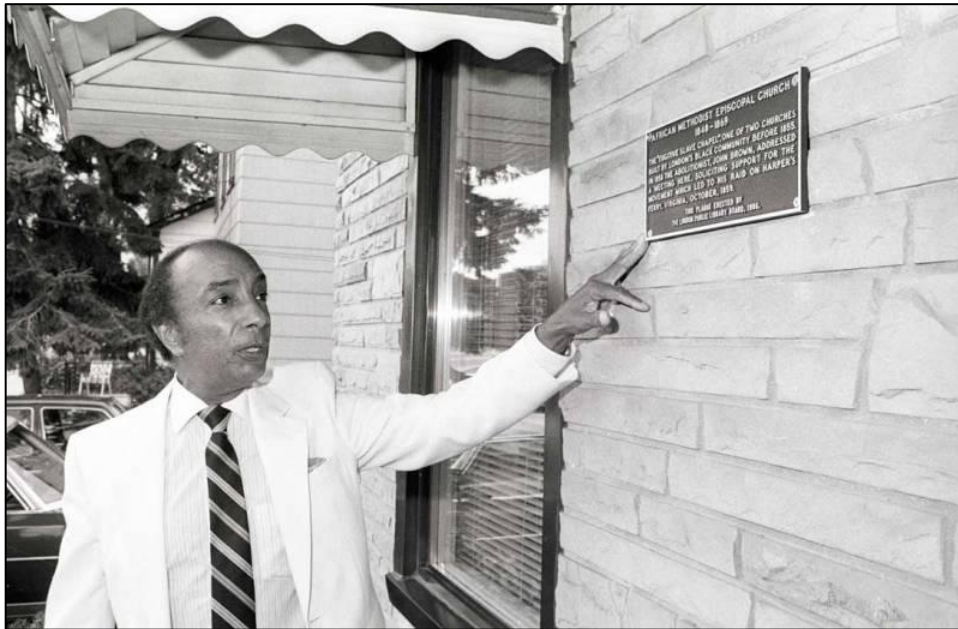
Key heritage attributes that embody the heritage value of the building at 275 Thames Street include:

- its age dating to c. 1848
- its plain expression of a vernacular cottage style in a wood framed structure
- its central entrance balanced by two window openings on its front facade
- its use as a chapel as a branch of the African Methodist Episcopal Church which, in 1856, became the British Methodist Episcopal Church.
- its association with the later construction of Beth Emanuel British Methodist Church at 430 Grey Street.(designated under the Ontario Heritage Act.)
- its association with the Black community which took shape in the formative years of the town and city’s early growth in this area of the City adjacent to the south branch of the Thames River.

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D. Menard:

Appendix 4: Plaquing Ceremony - 275 Thames Street –(1986)
(Photos from London Free Press Photo Archives – London Regional Archives)



David Jenkins

Historic Sites
Plaque

