

Report to Community Advisory Committee on Planning

To: Chair and Members
Community Advisory Committee on Planning

From: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Demolition Request for Heritage Listed Property at 180
Simcoe Street by Richmond Corporate Centre Inc.

Date: Thursday May 26, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the property at 180 Simcoe Street **BE REMOVED** from the Register of Cultural Heritage Resources.

Executive Summary

The property at 180 Simcoe Street has been identified as a potential cultural heritage resource since at least 2006. As Municipal Council must believe a property to be of potential cultural heritage value or interest to be added to the Register of Cultural Heritage Resource, it must therefore be satisfied that a property is not of cultural heritage value or interest, through the completion of a comprehensive evaluation, prior to removing a property from the Register.

A Heritage Impact Assessment (MHBC, 2022) was submitted as part of the demolition request for the heritage listed property at 180 Simcoe Street in advance of a Site Plan Application for the property. The Heritage Impact Assessment found that the property at 180 Simcoe Street does not meet the criteria for designation under the *Ontario Heritage Act*. Staff agree with the evaluation of the property. As the property at 180 Simcoe Street does not meet the criteria for designation, it should be removed from the Register of Cultural Heritage Resources.

Additionally, the property at 180 Simcoe Street is adjacent to a heritage designated property at 224-226 Richmond Street. The Heritage Impact Assessment has demonstrated to staff's satisfaction that the heritage attributes of the heritage designated property at 224-226 Richmond Street will be conserved. Cautionary mitigation measures can be implemented through the Site Plan Approval process for the new EMS building proposed at 180 Simcoe Street.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan areas of focus:

- Strengthening Our Community:
 - Continuing to conserve London's heritage properties and archaeological resources.

Analysis

1.0 Background Information

1.1 Property Location

The property at 180 Simcoe Street is located on the north side of Simcoe Street between Richmond Street and Clarence Street (Appendix A). The property at 180 Simcoe Street is in London's SoHo neighbourhood.

1.2 Cultural Heritage Status

The property at 180 Simcoe Street is a heritage listed property. The property was included on the Inventory of Heritage Resources prior to 2006, which was adopted in its

entirety as the Register of Cultural Heritage Resources in 2007. The property at 180 Simcoe Street is a heritage listed property.

1.3 Description

The existing building at 180 Simcoe Street is situated prominently on the property, set near to Simcoe Street (Appendix B). The two-storey building has a light-coloured brick façade with a rusticated block-clad side and rear facades. The nearly rectangular plan of the building is constructed on a concrete foundation with a shallow or low-pitched hipped roof. The building has a traditional relationship of solids and voids on the front façade, with four bays – the main entrance door is located at the westerly bay on the ground storey, which is accessed via concrete steps with metal railings.

Most of the property is paved with asphalt and used as a parking area. There are one-storey detached garage structures located at the rear of the property.

1.4 History

The property at 180 Simcoe Street is in the oldest part of the City – part of the original colonial survey of the town plot of London which was completed by Colonel Mahlon Burwell in 1826. The original town site was bounded by North Street (later Queens Avenue), Wellington Street, and the Thames River.

Given the proximity to the Thames River, this area developed with a mixture of industrial and residential properties. Nearby industrial landmarks include the Labatt Brewery and the former Hunt Mills, both located along the Thames River just west of Richmond Street. The Labatt Brewery (150 Simcoe Street) is still extant and physically dominant in the area, with the large brewery, ancillary sites, and other properties owned by Labatt's.

The existing building at 180 Simcoe Street was constructed in 1989 (Building Permit 89-089213). It replaced an earlier two-storey frame building. The building appears to have been constructed for Rogolino Electric, the property owner at the time of construction.

In 2002, two-storey brick Italianate residential-type building municipally numbered as 178 Simcoe Street was demolished following consultation with the London Advisory Committee on Heritage (LACH) (see Image 5, Appendix B). The one-storey residential-type building at 182 Simcoe Street was also demolished in 2002.

1.5 Adjacent Cultural Heritage Resources

The property at 224-226 Richmond Street is adjacent to the heritage listed property at 180 Simcoe Street. The rear yards of these properties abut each other.

The property at 224-226 Richmond Street is designated pursuant to Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3375-332. The heritage designating by-law describes the historical, architectural, and contextual reasons for the property's designation, including elements which are understood to be the property's heritage attributes.

The property at 224-226 Richmond Street is a semi-detached or "double house," painted brick house built on a fieldstone foundation. The symmetrical building demonstrates elements of the vernacular Italianate style and was built in the 1880s.

Historically, the property at 224-226 Richmond Street is associated with the development of the urban economy and local industry in what became known as the SoHo neighbourhood. The property is associated with the Agnos family and the Greek community in London.

1.6 Proposed Development

Redevelopment of the property at 180 Simcoe Street has been proposed for an Emergency Medical Service (EMS) station for the Middlesex-London EMS.

In addition to the demolition of the existing building, Site Plan Approval is required. A Minor Variance (A.054/22) is also required to accommodate the proposed design.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, and *The London Plan*.

2.1.1 *Provincial Policy Statement*

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* promotes the wise use and management of cultural heritage resources and directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved” (Policy 2.6.1, *Provincial Policy Statement 2020*).

Additionally, Policy 2.6.3 of the *Provincial Policy Statement (2020)* states,
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.

“Significant” is defined in the *Provincial Policy Statement (2020)* as, “resources that have been determined to have cultural heritage value or interest.” Further, “processes and criteria for determining cultural heritage value or interest are established by the province under the authority of the *Ontario Heritage Act*.”

Additionally, “conserved” 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.”

2.1.2 *Ontario Heritage Act*

Section 27, *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), *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.

The only cultural heritage protection afforded to heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the Community Advisory Committee on Planning (CACP)* is consulted, and a public participation meeting is held at the Planning & Environment Committee. This process is used when a property owner requests the removal of their property from the Register.

Section 29, *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29, *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Objections to a Notice of Intention to Designate are referred to Municipal Council. Appeals to the passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

2.1.2.1 **Criteria for Determining Cultural Heritage Value or Interest**

Ontario Heritage Act Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. 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

- 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*. Should the property not meet the criteria for designation, the heritage listed property should be removed from the Register. These same criteria are in Policy 573_ of *The London Plan*.

2.1.3 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.

Policies 575_ and 576_ of *The London Plan* also enable City Council to designate areas of the City under Part V of the *Ontario Heritage Act* as Heritage Conservation Districts. These policies include a set of criteria in the evaluation of an area. *Heritage Places 2.0* is a guideline document as a part of the Cultural Heritage Guidelines. The document describes potential heritage conservation districts and assigns a priority to these districts for consideration as heritage conservation districts.

Policies 565_ and 586_ of *The London Plan* require a Heritage Impact Assessment to ensure that the impacts of a proposed development or site alteration have been evaluated and it has been demonstrated that the heritage attributes of the heritage designated property or property listed on the Register will be conserved.

2.1.4 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." These properties are not designated but are considered to have 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. If a property is evaluated and found to not meet the criteria for designation, it should be removed from the Register of Cultural Heritage Resources.

The property at 180 Simcoe Street is included on the Register of Cultural Heritage Resources as a heritage listed property.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1. Request to Remove from the Register of Cultural Heritage Resources

A demolition request was submitted by the property owner of the heritage listed property at 180 Simcoe Street on April 28, 2022. The demolition request was submitted in advance of a Site Plan Application for the redevelopment of the property.

Municipal Council must respond to remove a heritage listed property from the Register of Cultural Heritage Resources within 60 days, or the request is deemed consented. During this 60-day period, the Community Advisory Committee on Planning (CACP) is consulted and, pursuant to Council Policy, a public participation meeting is held at the Planning and Environment Committee (PEC).

The 60-day period for the request to remove the heritage listed property at 180 Simcoe Street from the Register of Cultural Heritage Resources expires on June 27, 2022.

4.1.1 Heritage Impact Assessment

A Heritage Impact Assessment (MHBC, April 2022) was submitted as part of the demolition request for the heritage listed property at 180 Simcoe Street. The Heritage Impact Assessment (HIA) addresses both the on-site heritage listed property at 180 Simcoe Street as well as the adjacent heritage designated property at 224-226 Richmond Street. The Heritage Impact Assessment is attached as Appendix C.

4.2 Consultation

Pursuant to intent of the Council Policy, notification of the request to remove the heritage listed property from the Register of Cultural Heritage Resources request was sent to property owners within 120m of the subject property on May 10, 2022, as well as community groups including the Architectural Conservancy Ontario – London Region Branch, London & Middlesex Historical Society, the Urban League of London, and the SoHo Community Association. Notice was also published in *The Londoner* and on the City's website.

4.3 Evaluation of Heritage Listed Property at 180 Simcoe Street

An evaluation of the heritage listed property at 180 Simcoe Street was completed using the criteria of Ontario Regulation 9/06 in the HIA (MHBC, April 2022). The HIA also included historical research, including a survey of accessible historical mapping and aerial photographs. See Appendix C.

The property at 180 Simcoe Street is located within the SoHo area, which has been identified for future study as a potential Heritage Conservation District in *Heritage Places 2.0*. No Heritage Conservation District Study of the SoHo area has been initiated.

Staff have reviewed the HIA and its evaluation of the property at 180 Simcoe Street. Staff agree with the evaluation of the property at 180 Simcoe Street, finding that the property does not meet the criteria for designation under the *Ontario Heritage Act*.

4.4 Adjacency Concerns for Heritage Designated Property at 224-226 Richmond Street

In addition to evaluating the heritage listed property at 180 Simcoe Street, the HIA assessed the potential impacts of the proposed development on the adjacent heritage designated property at 224-226 Richmond Street (see Appendix C).

There are no direct impacts to any of the heritage attributes of the heritage designated property at 224-226 Richmond Street. The HIA did not make any recommendations to avoid potential indirect impacts to the heritage designated property at 224-226 Richmond Street. However, the HIA recommended,

...that construction equipment and material not be stored at the rear of the property line within the vicinity of the adjacent designated properties and that drainage be monitored to ensure that excavation and changes in grading do not negatively impact the adjacent properties during construction.

These concerns can be addressed during the Site Plan Approval required for the proposed development at 180 Simcoe Street.

Staff have a concern about the extensive length and un-articulation of the wall backing onto the rear yards of 224-226 Richmond Street. To articulate the potential impacts on the adjacent heritage designated property at 224-226 Richmond Street, renderings of the proposed building have been prepared (see Figures 2-3, Appendix B). The

proposed EMS building is anticipated to be visible from Richmond Street, however it is not anticipated to overwhelm the significant cultural heritage resource at 224-226 Richmond Street or result in any direct impacts to its heritage attributes. The potential indirect impact, mainly view, can be mitigated through landscape features such as a landscape buffer (hedge) or fence.

Staff are satisfied that there are no direct adverse impacts to the heritage designated property at 224-226 Richmond Street, or its heritage attributes, because of the proposed redevelopment of the property at 180 Simcoe Street.

Conclusion

The evaluation of the property at 180 Simcoe Street, using the criteria of Ontario Regulation 9/06, found that the property does not meet the criteria for designation. As the property does not merit designation, it should be removed from the Register of Cultural Heritage Resources.

The proposed redevelopment of the property at 180 Simcoe Street has the potential to affect the heritage attributes of the adjacent heritage designated property directly or indirectly at 224-226 Richmond Street. A Heritage Impact Assessment was prepared and submitted in consideration of Policies 565_ and 586_ of *The London Plan* and Policy 2.6.3 of the *Provincial Policy Statement* (2020). Staff are satisfied that the heritage attributes of the heritage designated property at 224-226 Richmond Street will be conserved.

Prepared by: Kyle Gonyou, RPP, MCIP, CAHP
Heritage Planner

Submitted by: Jana Kelemen, M.Sc.Arch., MUDS, RPP, MCIP
Manager, Urban Design, and Heritage

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

Appendices

Appendix A Property Location

Appendix B Images

Appendix C Heritage Impact Assessment (MHBC, dated April 18, 2022)

Selected Sources

Corporation of the City of London. *2019-2023 Strategic Plan*.

Corporation of the City of London. *Heritage Places 2.0*. 2019.

Corporation of the City of London. Property file.

Corporation of the City of London. *Register of Cultural Heritage Resources*. 2020.

Corporation of the City of London. *The London Plan*. 2021 (consolidated).

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC). *Heritage Impact Assessment, 180 Simcoe Street, City of London, Ontario*. April 18, 2022.

Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.

Ontario Heritage Act. 2019, c. 9. Sched. 11.

Appendix A – Property Location

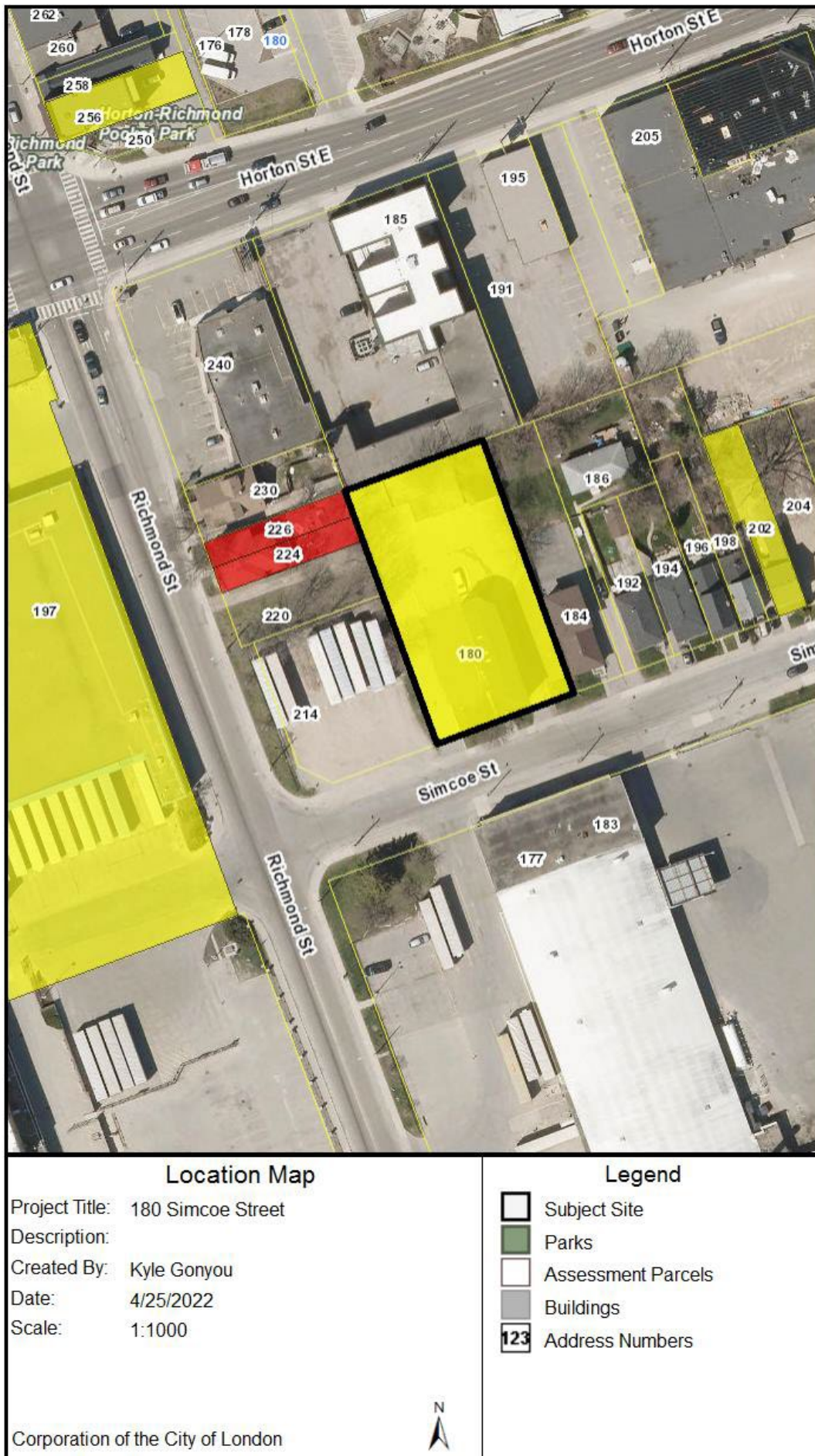


Figure 1: Location Map showing the heritage listed property (shaded in yellow) at 180 Simcoe Street (outlined in black). The adjacent heritage designated property at 224-226 Richmond Street is shaded in red.

Appendix B – Images



Image 1: Streetscape view of the north side of Simcoe Street, including the property at 180 Simcoe Street.



Image 2: View of the front façade of the property at 180 Simcoe Street.



Image 3: View of the east and north (rear) façades of the property at 180 Simcoe Street.



Image 4: View of the detached one-storey garage structures at the rear of the property at 180 Simcoe Street.



Image 5: View of the properties at 178 Simcoe Street (left), 180 Simcoe Street, and 182 Simcoe Street in 2002. The buildings on 178 Simcoe Street and 182 Simcoe Street were demolished in 2002.



Image 6: Photograph of the heritage designated property at 224-226 Richmond Street.



Figure 2: Rendering showing the view looking east towards the heritage designated property at 224-226 Richmond Street, with the proposed new EMS building at 180 Simcoe Street in the background.



Figure 3: Rendering showing the view looking east towards the heritage designated property at 224-226 Richmond Street, with the proposed new EMS building at 180 Simcoe Street in the background.

Appendix C – Heritage Impact Assessment

Heritage Impact Assessment (MHBC, dated April 18, 2022) – *attached separately*