

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

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

Subject: Demolition Request for Heritage Designated Property at 520 Ontario Street, Old East Heritage Conservation District
Public Participation Meeting

Date: Monday August 22, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the request to demolish the building on the heritage designated property at 520 Ontario Street, within the Old East Heritage Conservation District, **BE PERMITTED** pursuant to Section 42(1) of the *Ontario Heritage Act* subject to the following terms and conditions:

- a) Interim protection measures, including fencing, be implemented by the applicant to ensure that the property remains in a clean and protected state following the demolition and prior to construction of a new building;
- b) A Heritage Alteration Permit be required following the demolition of the existing dwelling to ensure that the replacement dwelling is consistent with the policies and guidelines of the Old East Heritage Conservation District.

Executive Summary

A request to demolish the dwelling on the property at 520 Ontario Street, designated pursuant to Part V of the Ontario Heritage Act as a part of the Old East Heritage Conservation District was received by the City. Pursuant to the requirements of the Ontario Heritage Act, Municipal Council must respond to the request within 90 days. The property is D-ranked by the Old East Heritage Conservation District Conservation Plan, and the subject dwelling on the property was extensively damaged as a result a windstorm in May 2022. A structural assessment of the dwelling recommends demolition of the dwelling's roof and wall structures and a reconstruction of a new dwelling on the property. Heritage Alteration Permit approval will be required for a new dwelling on the property. The demolition of the existing dwelling on the heritage designated property at 520 Ontario Street should be permitted.

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 Location

The property located at 520 Ontario Street is located on the east side of Ontario Street, between Princess Avenue and Lorne Avenue (Appendix A).

1.2 Cultural Heritage Status

The property at 520 Ontario Street is designated pursuant to Part V of the Ontario Heritage Act, by By-law No. L.S.P.-3383-111, as part of the Old East Heritage

Conservation District. The Old East Heritage Conservation District came into force and effect on September 10, 2006.

The property at 520 Ontario Street is identified as a D-ranked property by the *Old East Heritage Conservation District Conservation Plan*. The D-ranking identified within the *Old East Heritage Conservation District Study* notes that properties were ranked as D if any one or combination of the following were true:

- Original heritage qualities had been irreversibly lost or covered; and/or,
- The original design, new or old, was lacking architectural character to contribute to the area.

D-ranked properties are not representative of the collective heritage of the area.

1.3 Description

The dwelling on the property at 520 Ontario Street consists of a single storey cottage with a low-pitch hipped roof. The dwelling's front façade is clad with angel-stone, a faux stone cladding and includes a projecting bay, front door, and pair of windows. A small front porch extends across a portion of the front façade. The side elevations of the dwelling include a few windows but are primarily characterized by the horizontal vinyl siding cladding that wraps the remainder of the elevations.

The Register of Cultural Heritage Resources includes a construction date of 1883 for the dwelling. A review of the 1915 Revised 1922 *Fire Insurance Plan* for the property suggests that the existing dwelling had been constructed by then. The dwelling noted on the property consisted of a single storey wood frame dwelling with single storey rear additions, including a projecting bay on the front of the dwelling and a small porch, matching the footprint of the existing dwelling.

Aside from its scale and type, the dwelling has been extensively altered since its construction.

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 in the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, *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*).

"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

The *Ontario Heritage Act* enables municipalities to protect properties of cultural heritage value. This includes the designation of individual properties to be of cultural heritage value or interest pursuant to Section 29 (Part IV), *Ontario Heritage Act*, and groups of properties that together have cultural heritage value or interest pursuant to Section 42 (Part V), *Ontario Heritage Act*, as a Heritage Conservation District.

While the criteria for the designation of a Heritage Conservation District are found in Policy 576_ of *The London Plan*, the *Ontario Heritage Act* establishes process requirements for decision making.

Section 42(1), *Ontario Heritage Act*, states,

No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so:

- 1. Alter, or permit the alteration, of any part of the property other than the interior of any structure or building on the property.*
- 2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure.*

2005, c.6 s.32(1).

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.

2.1.4 Old East Heritage Conservation District Conservation Plan and Old East Heritage Conservation District Conservation Guidelines

The *Old East Heritage Conservation District Plan* establishes principles, goals and objectives for the heritage conservation district; recommends policies and guidelines pertaining to major architectural, streetscape and land use changes, and outlines the approvals process for heritage work along with other implementation recommendations.

The *Old East Heritage Conservation District Conservation Guidelines* provides residents and property owners with additional guidance regarding appropriate conservation, restoration, alteration and maintenance activities and assist municipal staff and Council in reviewing and making decisions on permit and development applications within the district.

The *Old East Heritage Conservation District Conservation Plan* contains policies relating specifically to demolition.

Section 6.5 (Demolition) notes:

The goal of a heritage conservation district is to preserve and protect the heritage assets within the short term and over the long term. Demolition of buildings within a heritage district is strongly discouraged.

However, the plan also notes:

...it is recognized that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1. Demolition Request

During a severe windstorm on May 21, 2022 a large mature tree fell onto the dwelling located at on the property at 520 Ontario Street, causing extensive damage to the dwelling. The tree caused damage to the entirety of the roof, as well as extensive damage to the structural components of the dwelling.

A Structural Assessment prepared for the dwelling (Pow Peterman Consulting Engineers, dated May 27, 2022) noted that the tree which was blown over during the storm was approximately 24” to 36” in diameter. It crushed the roof of the house, as well as the sitting room and front entryway. In addition, a large beam supporting the roof structure, as well as interior load bearing walls were cracked. The assessment recommends that the entire roof and wall structure be demolished.

A demolition request for the dwelling was received on July 26, 2022. Consistent with the requirements of the Ontario Heritage Act and the Council Policy Manual, Municipal Council must respond to the demolition request within 90-days. During the 90-day period, the Community Advisory Committee on Planning (CACP) is consulted, and a public participation meeting is held at the Planning and Environment Committee (PEC).

It is understood through the communication with the applicant that a replacement dwelling will be constructed on the property. Typically for demolition requests within a Heritage Conservation District, a Heritage Alteration Permit application is also processed at the time of the demolition process to ensure compatibility with the appropriate Heritage Conservation District policies and guidelines. This application seeks to separate the processes to ensure that the demolition can proceed prior to designing a replacement dwelling. The design of a replacement dwelling will be processed at a future time, ensuring that it is consistent with the policies and guidelines of the *Old East Heritage Conservation District Conservation Guidelines*.

4.2 Consultation

Pursuant to the Council Policy Manual, notification of the demolition request has been sent to property owners within 120m of the subject property on August 4, 2022, as well as community groups including the Architectural Conservancy Ontario – London Region Branch, the London & Middlesex Historical Society, and the Urban League of London. Notice was published in the *Londoner* on August 4, 2022.

The City’s municipal heritage committee – the Community Advisory Committee on Planning (CACP) – was consulted on this request at its meeting held on August 10, 2022.

Conclusion

A request to demolish the heritage designated property at 520 Ontario Street was received by the City. The dwelling on the subject property sustained extensive damage as a result of a windstorm in May 2022. The property is D-ranked by the *Old East Heritage Conservation District Conservation Plan*. The demolition of dwelling on the property at 520 Ontario Street should be permitted. Heritage Alteration Permit approval will be required for a new building on the subject property and will be processed at a later date.

Prepared by: Michael Greguol, CAHP
Heritage Planner

Reviewed 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	Images from Inspection Report

Sources

- Corporation of the City of London. *Old East Heritage Conservation District Conservation Plan*. 2005.
- Corporation of the City of London. *Old East Heritage Conservation District Conservation Design Guidelines*. 2005.
- Corporation of the City of London. *2019-2023 Strategic Plan*.
- 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).
- Land Registry Records.
- Ontario Heritage Act*. 2019, c. 9. Sched. 11.
- Pow Peterman Consulting Engineers. 520 Ontario Street Storm Damage Structural Assessment. May 27, 2022.
- Winmar. Inspection Report. May 23, 2022.

Appendix A – Property Location

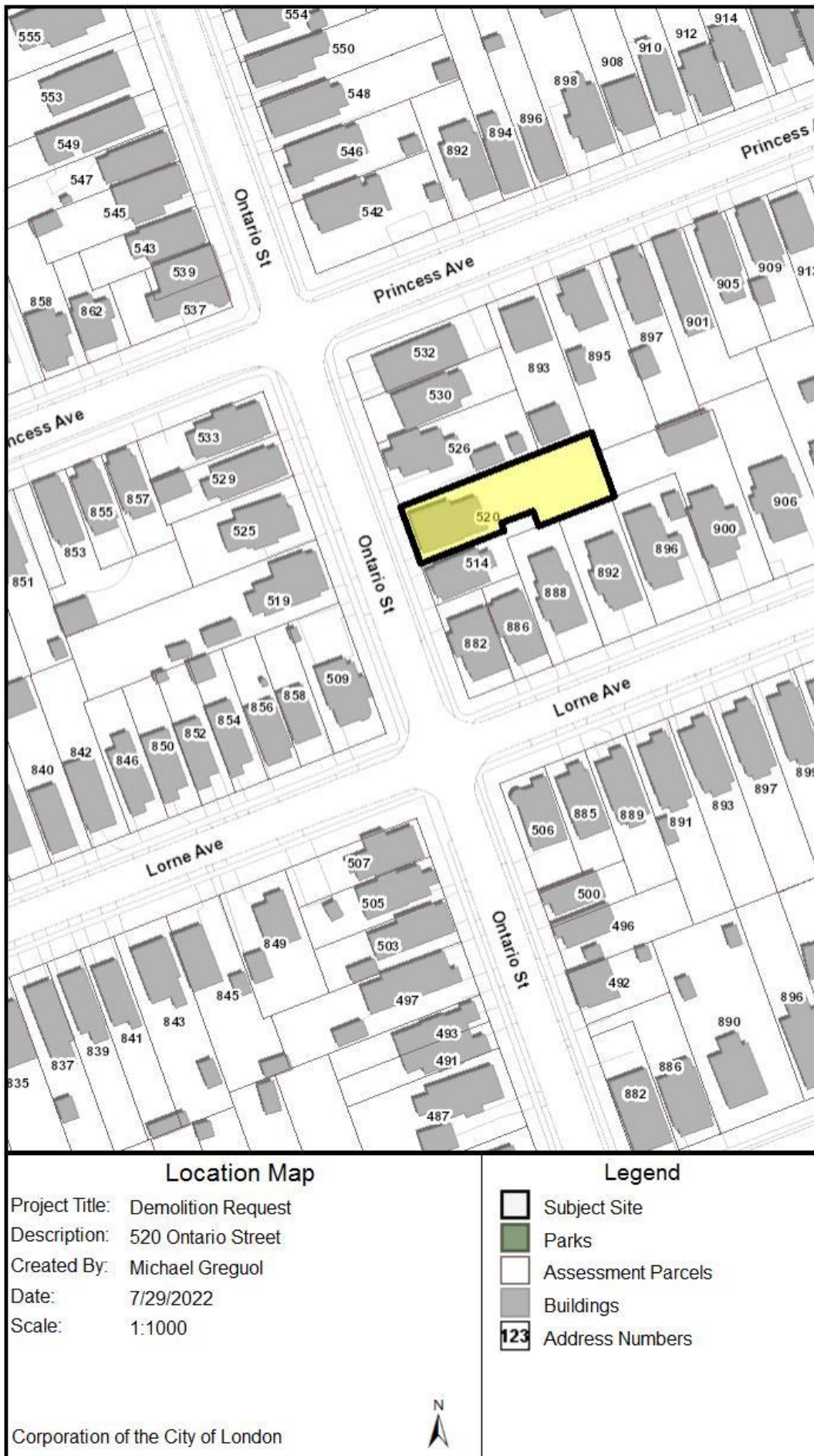


Figure 1: Location of the subject property at 520 Ontario Street, within the Old East Heritage Conservation District.

Appendix B – Images



Image 1: Google Street Image of the dwelling on the subject property at 520 Ontario Street, shown in August 2019, prior to experiencing damage.



Image 2: Photograph of the subject property at 520 Ontario Street in its current condition following the tree damage caused in May 2022.

Appendix C – Images from Inspection Report



Exterior



Exterior



Exterior



Exterior



Exterior



Exterior

Image 3: Photographs included within an inspection report demonstrating extent of the damage to the dwelling at 520 Ontario Street.



Exterior



Exterior



Exterior



Exterior



Exterior



Exterior

Image 4: Photographs included within an inspection report demonstrating extent of the damage to the dwelling at 520 Ontario Street.



Exterior



Exterior



Exterior



Exterior



Exterior



Exterior

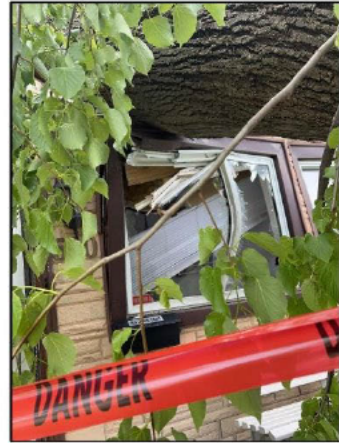
Image 5: Photographs included within an inspection report demonstrating extent of the damage to the dwelling at 520 Ontario Street.



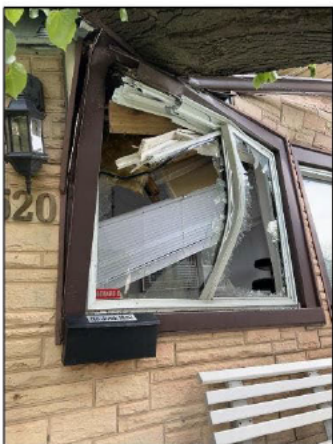
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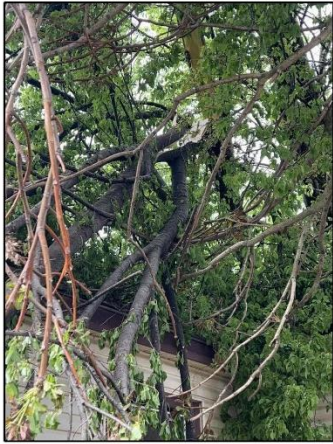


Exterior



Exterior

Image 6: Photographs included within an inspection report demonstrating extent of the damage to the dwelling at 520 Ontario Street.



Exterior



Exterior



Exterior



Exterior



Exterior



Exterior

Image 7: Photographs included within an inspection report demonstrating extent of the damage to the dwelling at 520 Ontario Street.



Interior



Interior



Interior



Interior



Interior



Interior

Image 8: Photographs included within an inspection report demonstrating extent of the damage to the dwelling at 520 Ontario Street.