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IN ALMOST PERPETUAL CIRCLES:
URBAN PRESERVATION AND THE MUNICIPAL ADVISORY
COMMITTEE IN LONDON, ONTARIO*

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Frederick H. Armstrong and Edward C.H. Phelps

The problems involved in the preservation of our urban historical and architectural heritage have aroused increasing attention in the last few years, partially because of the growing general concern over the quality of our environment. The idea of having some type of committee, or board, to advise municipal governments on such preservation questions is certainly not new; in the last few years, a vast number of such committees have sprung up across the country. In Ontario, for instance, since the 1974 legislation, over 40 new bodies of this type have been created. All such committees inevitably run into many difficulties, although they are greatly helped when their municipality is located in a province in which there is some overall legislation and a central ministry to give advice. They inject a new element into the planning and development process, an element that threatens to complicate traditional procedures and therefore, naturally, disturbs planners, developers and municipal officials who have their accustomed processes. Hence the experience of what is now one of the "older" committees, that of London, Ontario, may be of some interest to readers of this journal, for its evolution points up many issues that face such bodies. Possibly, therefore, some suggestions based on its experiences will help smooth the path of parallel organizations elsewhere.

Today, with the new Ontario provincial legislation that provides for the establishment of such committees in all municipalities, the way is greatly smoothed; however, in provinces without this type of legislation and in Ontario before 1975, the urban committee has been

*The writers would like to thank John H. Lutman, whose article on the research methods of the Committee appeared in a recent issue of the U.H.R., [No. 1-77], for his assistance with this article.

normally born in crisis. This was the case in London. In many ways that city in 1970 was typical of our larger centres; it was growing rapidly and the "bigger is better" mystique seemed to dominate both Council and civic administration. Not surprisingly, the original core area was changing constantly. Although many groups were concerned with the city's character, and the London Public Library had established a Historic Sites Advisory Committee to erect plaques, there was neither any conservation regulation nor any system of protection. The demolition of several important buildings, mostly during the summer when no one was around, brought the matter to the fore. For instance, the mansion of Benjamin Cronyn, first Anglican bishop, was pulled down to make way for a municipal senior citizens' housing project. The housing was badly needed, and the downtown location was a good one, but the question of whether or not the mansion could have been retained in the scheme was never even investigated. Also, the 1872 federal Custom House was razed in 1971, over loud objections, for it occupied a conspicuous site and was a particularly fine mansard building, with one of the few stone facades in the city.

As a result some groups in the city began to protest. The leaders in this action were the London Public Library, through its committee on plaques, the London and Middlesex Historical Society, the London Chapter of the Ontario Association of Architects, the London Branch of the Architectural Conservancy of Ontario, the Council of Women and later the Urban League. In other words, enough groups to possess some clout. At the request of some of these groups, in the summer of 1971 the city agreed to give a subsidy to the Canadian Inventory of Historic Buildings, which was then surveying London, and the result was an examination of all buildings built prior to 1914, instead of the usual Eastern Canada CIHB cut off date of 1880.

This cooperation just preceded what was to become the real catalyst in citizen action. The Victoria Hospital Trust owned "Beechwood", an 1854 merchant's country mansion, by the 1970s in the heart of the city, but still surrounded by a grove of beech trees that represented the only stand of original forest in the area. Some trees

were estimated as 300 years old. The Trust had been willed the estate with the stipulation that it would keep it intact as long as possible; however, after five years, in October, 1971, it decided to demolish the house and then sell the property for apartment development in order to make a vast wind-fall profit. Alderman Marvin Recker, the city representative on the Trust, described the house as "unliveable". The structure had been plagued and most thought that it was safe. Various groups immediately protested, meetings were held, delays in demolition were arranged and the chief administrative officer promised cooperation and was helpful and encouraging. The structure was checked, found to be in very good condition and the encouraging noises kept up. Then, unexpectedly, the city declared that preservation was impossible. Although there was a long rearguard skirmish "Beechwood" was finally knocked down in August, 1972. The various organizations were left with the distinct impression that, despite the protestations of sympathy, when it came to decisive action little help could be expected from the city unless constant pressures were brought to bear.

Instead of giving up, therefore, and thus making those opposed to preservation happy, the groups decided to improve the organization that they had already developed during the fight. Representatives were quickly nominated to a provisional committee to draw up a schedule of buildings of importance, simultaneously, pressures were put on the City Council to both appoint an official Committee, to advise the city on such matters and to have the City of London Act amended, after the form used in Toronto and Kingston, to empower the Council to designate buildings and sites as being of historical or architectural importance. Once this was done the legislation would prevent their being demolished, or altered, without due notice being given.

Fortunately, some members of the Council, particularly Mayor Jane Bigelow, were quite sympathetic. Application was made for the

¹The Ontario Heritage Act (Statutes of Ontario, 1974, c. 122) makes provision for such a committee to be set up in each municipality.

necessary amendment to the City of London Act, which was assented to in April, 1972,² and it was agreed that a municipal Committee would be appointed. The citizens' provisional committee had meanwhile been working on its lists of buildings of importance. This was based on a triple schedule, following the system then in use in England, and was adopted by the various organizations involved in January of 1972.

Here, then, are the first three points that should be considered by any municipal group trying to set up a programme of conservation for their city: 1) agree on what buildings are important and establish a schedule or schedules; 2) get your municipality to obtain the necessary power to designate buildings and areas of interest, if it does not already have it under a general provincial statute; and 3) have an official city committee appointed.

The last point represented the first major delay; although everything was agreed upon in early 1972, no action was taken in appointing the committee. The civic administration (as distinguished from the Council) argued that terms of reference were needed first, but no action seemed to come on terms of reference. Perhaps the administration saw it as a low priority issue, perhaps there were those who did not want any official committee to object until "Beechwood" was gone. Even then no action was taken and the Committee was not finally appointed until February, 1973, after some further pressures on the Council. As a council representative the Committee was given Controller Ed Blake, a former CFPL radio station hot line host, who became absolutely invaluable, advising on budget matters and helping to get the schedules approved in principle by Council in September.

Thus, it might be said that the afore-mentioned organizers had been quite fortunate. The Committee was under way in only a little over a year, the city had not lost anything else of importance, and preservation was getting some good publicity in the London Free Press. Then, to thwart the unfolding of the universe, began an amazing series

²Statutes of Ontario, 1972, c. 122, "An Act Respecting The City of London," s. 5.

of frustrations; these point up the problems that can afflict such committees and are worth noting so that they can possibly be avoided or mitigated elsewhere. Their cumulative effect was that, while much has been accomplished by the middle of 1977, designation of any building still remains a thing of the future.

The first difficulty, not surprisingly from the above, came in establishing liaison with the City Council and city administration. As noted, the Committee formed a new cog in the municipal machinery, one that promised to bring in new complications in the administrative and planning processes. First there were the delays in appointing the "Historic Sites Advisory Committee", as it was at first called, then questions as to whom it should report. Initially it reported to the Social and Community Services Committee, which in turn reported to the Planning Board. Then, when it seemed that this was not the best, the Committee became a committee to the Planning Board, to which it reported directly.

More difficult was the problem of establishing liaison with the various civic departments, particularly the Planning Department, which has gradually become more receptive to discussing preservation ideals. The Committee is now coordinating its research with the ongoing preparation of new District Plans for the revision of the Official Plan, which is taking place over a period of years. The City Clerk's Office and the Legal Department have presented greater problems. First, it was decided that the terms of designation in the City of London Act for 1972 required amplification. This meant that the Act had to be amended in 1974³ and then, almost immediately, the local legislation was swept away by the superseding Ontario Heritage Act at the end of that year.⁴ As the Heritage Act provided for a completely different type of scheduling, with one list of buildings instead of three, there then had to be some rethinking on scheduling.

³Statutes of Ontario, 1974, c. 148, "An Act Respecting The City of London", s.6.

⁴Statutes of Ontario, 1974, c. 122.

London City's Legal Department frequently seemed cautious about our suggestions. For instance, we were advised that bridges could not be designated, nor could the interior of the Grand Theatre, even though the owners wanted the latter designated, the Ontario government was ready to give money for refurbishing as soon as designation took place, and all agreed that it was worthy of protection. Fortunately, the provincial ministry stated that both designations were possible. Finally, after some complaints by owners of important historical properties, the civic administration came up with a new series of stages for designation procedure that are far more complex than those of any other Ontario municipalities known to the present authors. These involve large costs for interdepartmental charges for surveys and so forth and have again held up action.

Perhaps surprisingly, the City Council presented less problems. Being elected, councillors are more receptive to citizen interests, and also, unlike administrators, they do not remain forever so newer ideas are able to creep in. Naturally, there have been some decidedly unsympathetic members (plus at least a couple who were magnificently mediaeval, or even slightly paleo-lithic). Still many have been friendly and the Committee has received budget support and has had some very helpful representatives from the Council. Controller Blake's immediate successors were less interested, but later representatives, particularly Aldermen Tom Siess and Paul Yorke, who were also the committee's chairmen, did good work. (Now, unfortunately, the city has decided to withdraw Council representation from many committees).

Developers have not caused any serious problems. The big developers in London are all busy building sub-divisions in the suburbs; the only smaller developer, who, it might be said, specialized in tearing down interesting buildings, or getting his hands on historic sites, has not yet collided directly with the Committee. He did get an option on one building, but was stopped by a lack of sewer connections. On a park area he has also been held up by long legal battles with neighbours and the city. Possibly, these events indicate a trend that will make spot redevelopment less appealing.

The other great problem, aside from the slow grinding of the municipal machinery, has been with the preservationists themselves. There is, of course, always with us the dewy-eyed individual who drives everyone batty, but that is only part of the problem. What can be the worst waste of time, or cause of acrimony, is to have people using the committee to push their own hobby horses. For some individuals, or organizations, even ones not truly interested in the cause of preservation, such committees can present an admirable lever to help retain their neighbourhood in its pristine purity. In other words, they attempt to use preservation legislation, instead of land use legislation, to control the zoning of their area. This was the case in London, where one very determined woman managed to place her entire neighbourhood on the original schedule as worthy of area designation. She also got her district community group put on the Committee, the only one in the city to be given such representation. (In London there are some 19 community organizations.) The area in question had some merit, but it also had 22 small, modern, undistinguished apartments, a repair garage, two horrendous high rises and a large, ultra-modern Masonic Temple, as well as tatty and undistinguished sections. Some of the best old homes in the city were just outside its limits.

The worst result of this initial faux pas was that the Committee spent a vast amount of time arguing about what should be done with Central London, to such an extent that other areas of the city were being ignored and the Committee was not coming to grips with more immediate problems. The woman's finest hour was over the decision to publish the first booklet. Most on the Committee felt that such a publication should provide the average citizen with an overview of the history and architecture of the city, but she successfully blocked this recommendation in a sub-committee set up to make suggestions. Instead she wanted a detailed study of her district. Then, when the matter was thrown back to the Committee at large she carried on a five hour debate to uphold her position and even when defeated (7 to 1), continued on for yet another hour. Even the approval by the Committee somehow did not immediately help progress, for next the Committee was suddenly

called before the Board of Control to explain that its so-called academics really could write English that would be understood by the average citizen. The Board was very understanding and the resulting booklet, Reflections on London's Past, quite successful, selling over 3,000 copies in two years.⁵

There are several principles here. One is, that, when preparing schedules, avoid letting any member of the Committee speak on anything without full investigation. A second is, when settling which public bodies should have representation - and the more the better politically, as long as the committee is kept to a reasonable size - make sure that they are ones that have cross-city representation and are not just pressure groups from a single area. The third principle to adopt was brought to the Committee's attention by the City Council itself. In Ontario the 'conflict of interest' rule had just been clarified for cities, but was not clear in relation to their committees. The Council, which had itself been badgered by the same source to the point of exasperation, finally pointed out to us, very clearly, that it did in fact apply to such citizens advisory committees. Period. Make sure that your committee adopts it from the first.

For those who picture the preservationist as a wilting damsel who bursts into tears at the slightest setback, and these do exist, the above lesson should be taken to heart. The London situation may have been rather extraordinary, at least that is to be devoutly hoped, but the determination of some people to use preservation to keep their own neighbourhoods unchanged should not be underestimated. Such a situation should be prevented before it asserts itself.

Such are the problems, what have been the accomplishments? The first of these lies in the field of research. Building on the work done by the CIHB, the late Professor William Goulding, and other similar earlier surveys, the whole architectural and historical resource basis of the city has been examined and files have been set up for each

⁵Frederick H. Armstrong and Daniel J. Brock, Reflections on London's Past (London, Ont.: Corporation of The City of London, 1975), 40 pp., ill.

major building. All this material has been gathered at the Regional Collection of the University of Western Ontario Library, where it is readily available to researchers, with microfilm copies at the London Public Library and at the City Hall. For areas of the city where the official plan has been revised, or is being revised, more detailed surveys have been done and the results are incorporated with the other material in the same depository. The importance of data gathering and having a proper record system, so work does not have to be done over and over again, as has often happened so many places in the past, cannot be overemphasized; the data bank is the ammunition with which to fight any future battles.⁶

In the process the Committee has developed a working liaison with the Planning Department, which is now counting on us for an input into the District Plans now in preparation. LACAC is also now coming to be known by the various other civic departments and is being consulted on preservation questions by various individuals and organizations in the city. Finally, a working relationship is being built up with the Ontario Heritage Foundation, which supervises such matters for the provincial government.

A third positive result are our publications and reports. The first publication, as noted, has been well received and will continue to help inform both the interested citizen and the students in the schools about London's heritage. The second will present a detailed picture of a large part of the central city. Further publications of the latter type are planned for other areas, beginning with South London, and the Committee is exploring other forms of community information dissemination, such as television programmes for the local cable cast.

The problems ahead may also be of some interest for other committees. First, of course, is overcoming the delay in taking any

⁶A description of the preparation of such surveys can be found in John H. Lutman, "Conducting Urban Heritage Surveys: A Case Study of London, Ontario", Urban History Review, No. 1-77 (June 1977), pp. 46-54.

action on designation. This procedure is now underway for several major structures, but the delays have meant that several property owners, who, at first, might have been sympathetic, have had time to consider the profitability of highrise development and to envision "Heritage Towers" occupying the site of their family manor, even if it is zoned for low density housing. Thus the processes may be more complex than had originally been anticipated. For those sites that are zoned for higher density these difficulties point up the need for some form of provincial, or municipal transfer of development rights, or compensation legislation. Allied to this is the need for some sort of a trust fund, which is now being considered, so money will be available to purchase historic buildings. The best example of such a fund is that of the Waterloo Regional Municipality, which is based on a low tax, originally 25¢ per head, and has proven more than sufficient. But these are all subjects for articles on their own.

There are naturally many more problems, but these point up some of the main issues and difficulties facing one municipal preservation committee. The basic organization - schedule, committee and legislation - must exist for there to be any success. Once these are attained it is still essential to develop a good working relationship with the city, to establish a data bank, to secure adequate funding and to issue publications presenting the committee's case to the citizens. Fortunately, the pendulum is swinging towards more public sympathy and official backing; nevertheless, it would be wrong to believe that anyone who becomes involved with such movements can avoid engaging in a series of battles before any successes are obtained.