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TO:	CHAIR AND MEMBERS LONDON ADVISORY COMMITTEE ON HERITAGE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	HERITAGE ALTERATION PERMIT APPLICATION DAVID TUCKEY 136, 136A AND 138 WORTLEY ROAD JULY 16, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Urban Regeneration Manager, the Heritage Alteration Permit Application of D. Tuckey requesting removal by demolition of the buildings at 136A and 138 Wortley Road, and requesting permission for façade redesign at 136 Wortley Road and building replacement at 136A and 138 Wortley Road, within the Wortley Village-Old South Heritage Conservation District, **BE PERMITTED** with the following terms and conditions altering the attached elevations in Appendix B provided by the applicant:

- **Alter** the Fire Roasted Coffee Company entrance expression [currently a small gable] sufficient in size to read as a main building entrance to the Wortley Road sidewalk.
- **Alter** heights of Wortley Road façade windows, to be in uniform dimensions with transparent glass, to match window heights meeting the level of the existing concrete band on Craig Street..
- **Alter** ramp guardrail material to wood that is compatible with the steel columns enclosed in rough sawn lumber.
- **Alter** backlit “HH” logo signs on west and chamfered corner elevations to externally individually lit letters and/or sign face in painted, stained or carved wood or materials with similar appearance with lettering styles that reflect the traditional, historic character of the community.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended action would allow for the removal and replacement of 2 existing buildings and façade alterations to another, in the manner described pursuant to the provisions of Section 42 of the *Ontario Heritage Act* in respect to demolitions and replacement of designated heritage properties.

BACKGROUND

Demolition Application

Demolition requests were submitted on June 26, 2015 by the agent for the owner of the properties at 136A and 138 Wortley Road. Planning staff recommend approval, conditional on the applicant obtaining a Heritage Alteration Permit for an approved replacement structure that promotes the goals and objectives of the *Wortley Village-Old South Heritage Conservation*

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District Plan+ Guidelines and is in keeping with appropriate City policies. The demolition report, including background information on these properties, is attached in Appendix A.

Submitted Site Plan Application

David Tuckey, owner of properties at 136, 136A and 138 Wortley Road, and Tuckey's Home Hardware has submitted a site plan application pertaining, among other things, to façade changes on the existing Tuckey's Home Hardware store [136] and its expansion into the proposed new buildings at 136A and 138 Wortley Road. As part of the site plan approval process, the application was reviewed at the March 18, 2015 meeting of the Urban Design Peer Review Panel. Goals and objectives for the proposed addition and façade upgrades to Tuckey Home Hardware cited in the Urban Design Brief include:

- *Minimal impact to the street scape; achieved by building an addition that mimics the architecture of the existing facades allocated for demolition.*
- *Comply with the "City of London Wortley Village-Old South Heritage Conservation District Plan + Guidelines / September2014"*

Additional information on Village Precedent for façade design presented to the Panel stated:

The façade design of the addition to 136 Wortley Road was created with the intent to mimic the existing architectural feature that the addition would be replacing. Some minor adjustments were made such as swapping the locations of the existing coffee shop and the "Paint Shoppe", and creating entrances that meet current code standards for Barrier Free requirements. The existing streetscape demonstrates a variety in built form and constructed heights. Currently, the buildings adjacent to 136 Wortley Road appear to be three separate entities (136, 136A and 138). The addition to 136 will join all the existing spaces together, by adjusting parapet heights, material selection, and built form we can create the illusion of 3 separate entities that simulates the current street scape. The precedent for the façade renovations to the existing structure (136) is inspired by historic photographs of a building that once stood on this corner.



Photograph of original structure that occupied Wortley and Craig St.

Following the Panel's review and advice, the applicant made several revisions to the façades' design, materials, door and window openings. [Appendix B]

The description of work in the Heritage Alteration Permit application indicates that the proposed construction "style will match the current look, style, and feel of existing street frontage and a portion of the addition will be designated for the coffee shop. Materials and colours will meet modern build criteria but maintain the look of old buildings."

Wortley Village-Old South Heritage Conservation District Plan

The *Wortley Village-Old South Heritage Conservation District Plan+Guidelines* (Section 3.2.1) emphasizes the importance of conserving historic context in the WV-OS Heritage Conservation

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District, where “historical context is to be considered when planning restorations, alterations or redevelopment.”

The *Wortley Village-Old South Heritage Conservation District Plan* (section 4.1.2) outlines the following policies to maintain the historic character and culture of the Wortley Village Commercial Area, where the subject properties are located:

- (a) *Maintain a diverse mix of uses and building styles*
- (b) *Maintain the staggered setbacks, building heights and scale to achieve an eclectic and interesting streetscape*
- (c) *Maintain sufficient parking opportunities*
- (d) *Prohibit off-street parking in front of buildings (within front yards) along Wortley Road.*
- (e) *Main building entrances shall be oriented to the sidewalk.*
- (f) *The use of transparent glass at the street façade is encouraged. Forty to fifty percent (40-50) of the street level façade shall be glazing or entrances. Tinted glass, “lifestyle” panels and graphic details are discouraged.*

For alterations and additions, the *Wortley Village-Old South Heritage Conservation District Plan* outlines its policies for heritage and non-heritage structures. Alterations and additions to heritage structures should meet the following criteria (section 4.2.1):

- *Major alterations to the exterior façade of buildings facing a public street are discouraged except where the intent is to restore or achieve the heritage objectives of either the HDC plan or the Official Plan.*
- *Design guidelines provided in Section 8 and 9 of this Plan will be used to review and evaluate applications for additions and alterations to ensure that the proposed changes are compatible and do not result in the irreversible loss of heritage attributes or adversely impact the cultural heritage value or interest of the HCD.*

Alterations and additions to non-heritage structures should meet the following criteria (section 4.3.1):

- *Major alterations to the exterior façade of non-heritage property facing a public street is permitted where the intent is to achieve the heritage objectives of either the HCD plan or the Official Plan.*
- *Design guidelines provided in Sections 8 and 9 of this Plan will be used to review and evaluate applications for additions and alterations to ensure that the proposed changes are compatible with the surrounding heritage properties and do not negatively impact the heritage attributes or the cultural heritage value or interest of the HCD.*

In the case of new developments, the *Wortley Village-Old South Heritage Conservation District Plan* outlines the following policies (section 4.4):

- a) *New buildings shall respect and be compatible with the cultural heritage value or interest of the Wortley Village-Old South HCD, through attention to height, built form, massing, setbacks, building material and other architectural elements such as doors, windows, roof lines and established cornice lines.*
- b) *The Architectural Design guidelines provided in Section 8 of this Plan will be used to review and evaluate proposals for new buildings to ensure that new development is compatible with the HCD.*
- c) *The purpose of the HCD is to respect both the age and the quality of design of the heritage properties and cultural heritage resources in the HCD. The City may consider exceptional examples of good current architectural design for integration into the cultural heritage fabric of the HCD if the proposed design exhibits sensitivity to the massing and scale of adjacent or nearby heritage properties and texture of the streetscape.*
- d) *Where a new building replaces a demolished heritage property, the new building will respect or recapture the mass and building presence of the original building and should avoid having a contemporary purpose-built appearance determined only by the new use. The demolition of any building within the HCD shall require a Heritage Alteration Permit.*

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ANALYSIS

The following table presents policy from the *Wortley Village-Old South Heritage Conservation District Plan* relevant to the submitted site application.

Section of HCD Plan	Policy	Alteration Comments
Building Height		
Section 4.1.2	<i>“Maintain the staggered setbacks, building heights and scale to achieve an eclectic and interesting streetscape”</i>	Accepted. The proposed development is consistent with the heights of other commercial properties along Wortley Road, and is similar in height to the previous properties.
Section 4.4	<i>[w]here a new building replaces a demolished heritage property, the new building will respect or recapture the mass and building presence of the original building...”</i>	
Entranceway Orientation		
Section 4.1.2	<i>“Main building entrances shall be oriented to the sidewalk.”</i>	Accepted. The main entrance to Tuckey’s Home Hardware is oriented to the Craig Street sidewalk. Alter the Fire Roasted Coffee Company entrance expression [currently a small gable] sufficient in size to read as a main building entrance to the Wortley Road sidewalk.
Glass		
Section 4.1.2	<i>“The use of transparent glass at the street façade is encouraged. Forty to fifty percent (40-50) of the street level façade shall be glazing or entrances. Tinted glass, “lifestyle” panels and graphic details are discouraged.”</i>	Alter heights of Wortley Road façade windows, to be in uniform dimensions with transparent glass, to match window heights meeting the level of the existing concrete band on Craig Street.
Accessibility		
Section 8.3.4.1	<i>If alterations are required to provide barrier free access, ramps and railings should be of suitable materials, colour and design details to blend in with the heritage property as much as possible, and be located to reduce the visual impact on the façade and heritage attributes of the heritage property.</i>	Alter ramp guardrail material to wood that is compatible with the steel columns enclosed in rough sawn lumber.
Signage		

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Section of HCD Plan	Policy	Alteration Comments
Section 8.3.4.3	<i>Avoid the use of backlit, fluorescent signs as these are not consistent with the age, style and character of the Wortley Village-Old South HCD (refer to the City Sign By-law). Preferred sign options include painted, stained or carved wood or materials with similar appearance with lettering styles that reflect the traditional, historic character of the community. The preferred type of sign illumination is shielded lighting at the top or side of signs. Signs must also comply with the City Sign By-law.</i>	Accepted. Externally lit Fire Roasted Coffee Company signage. Accepted. Vacuum formed letters on north and west elevations. Alter backlit “HH” logo signs on west and chamfered corner elevations to externally individually lit letters and/or sign face in painted, stained or carved wood or materials with similar appearance with lettering styles that reflect the traditional, historic character of the community
Section 8.3.4.4	<i>The size and scale of signs should correspond to the property.</i>	Accepted.
Section 10.4.5	<i>Wall-mounted signs should not exceed the height of the building cornice.</i>	Accepted. The signage on the north elevation slightly exceeds the building's cornice
Materials		
Section 9.4.5	<i>Fiber-cement board is a relatively new product that offers many of the benefits of traditional wood siding without the cost or some of the defects that are standard with new wood products. The boards are available in a variety of standard profiles and pre-finished with a primer for finish painting on site.</i>	Accepted. The external facade of the new development will be a combination of prefinished metal, cement board siding and will also include much of the existing brick.
Section 3.2.7	<i>Deteriorated elements and materials that cannot be salvaged should be repaired or replaced with the same materials and inserted or installed in a traditional manner. In some cases, some modern technologies ensure better and longer lasting repairs than traditional methods and should be employed if proven to be an improvement.</i>	Accepted. See above
Section 8	<i>It is appropriate to replace some materials and assemblies with modern equivalents.</i>	Accepted. See above
Roofing		
Section 9.3	<i>In the Wortley Village-Old South HCD, the most common shapes on the commercial buildings are flat roofs and some Mansard roofs. Most of the roofs on commercial buildings in London would originally have had tar or pitch roofing on fabric roofing felts on a low slope or “flat” roof.</i>	Accepted. The roofing proposed is compatible with heritage guidelines
Paint Colours		
Section 9.9.3	<i>Select paint colours that are consistent with the heritage character of the area and that complement other materials or details on the building.</i>	Accepted. The paint colours proposed are compatible with heritage guidelines.
Parking		
Section 8.3.4.1	<i>Any additional parking requirements that may be necessary to meet business needs or zoning regulations should be located at the rear of the property and be appropriately screened by landscaping and/or fencing from the street and adjacent neighbours .</i>	Accepted. All parking is located at the rear of the property

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CONCLUSION

The proposed work outlined in the Heritage Alteration Permit application for façade redesign at 136 Wortley Road and building replacement at 136A and 138 Wortley Road, within the Wortley Village-Old South Heritage Conservation District would be consistent with the *Wortley Village-Old South Heritage Conservation District Plan + Guidelines* with the alterations described in this report.

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PREPARED AND SUBMITTED BY:
JIM YANCHULA, MCIP, RPP MANAGER URBAN REGENERATION
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

July 9, 2015
JY

Attach:
Appendix A – 136A&138 Wortley Demo JL20-15 PEC Report;
Appendix B – Façades proposed in Heritage Alteration Permit application

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APPENDIX A

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	REQUEST FOR DEMOLITON 136A AND 138 WORTLEY ROAD DAVID TUCKEY PUBLIC PARTICIPATION MEETING JULY 20, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Manager of Urban Regeneration, and having consulted the London Advisory Committee on Heritage, the application under section 42 of the *Ontario Heritage Act* for a permit to demolish the buildings located at 136A and 138 Wortley Road in the Wortley Village-Old South Heritage Conservation District **BE GRANTED** with the condition that, prior to initiation of the demolition, the applicant obtain a Heritage Alteration Permit for an approved replacement structure that promotes the goals and objectives of the Wortley Village-Old South Heritage Conservation District Plan and is in keeping with appropriate City policies .

PREVIOUS REPORTS PERTINENT TO THIS MATTER

October 29, 2013 – Proposed Wortley Village-Old South Heritage Conservation District
September 9, 2014 – Proposed Wortley Village-Old South Heritage Conservation District

BACKGROUND

The Properties

136A and 138 Wortley Road are part of the *Wortley Village-Old South Heritage Conservation District Plan*, [the “HCD”] designated by by-law on September 16, 2014 pursuant to Part V of the *Ontario Heritage Act*, and in force and effect since June 1, 2015. These two properties are located near the south-east corner of the Wortley Road and Craig Street intersection in the Wortley Village commercial area (Appendix 1). 136A Wortley Road was most recently occupied as part of the Tuckey Home Hardware commercial establishment, serving as the hardware store’s paint shop. The second floor has been rented to a tenant who operated a fitness training studio. The Fire Roasted Coffee Company was located at 138 Wortley Road (Appendix 2). A Heritage Alteration Permit application has been submitted [as described below] indicating that these uses are intended to reoccupy the proposed demolition sites in essentially the same locations.

These properties form part of the Wortley Village commercial streetscape which is defined by its variety of buildings including those with small scale and speciality commercial uses as well as those with larger scale commercial uses such as the Tuckeys Home Hardware.

In the HCD Plan, 136A Wortley Road has a D rating, meaning that “original heritage qualities have been irreversibly lost or covered,” and/or “the original design, new or old, is lacking

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architectural character to contribute to the area.” These are described as Non-Heritage Properties in this Plan. Non-heritage properties may be demolished in accordance with the provisions of the Ontario Heritage Act. The City may require the submission of permit drawings for a replacement building that promotes the goals and objectives of the HCD and is in keeping with appropriate City policies. The following HCD Plan policies apply:

- *Where demolition of a building on a non-heritage property is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition. Council shall consider such applications on the basis of building condition, and impact on adjacent heritage properties and the streetscape or other such criteria as may be required by the City of London.*
- *Prior to demolition of a building on a non-heritage property the City may require the submission of permit drawings for an approved replacement structure that promotes the goals and objectives of the HCD Plan and is in keeping with appropriate City policies. The City may also require interim landscape treatment of the site if redevelopment may be delayed.*

138 Wortley Road has a C rating meaning that “the form and massing of the building belonged to a historical family of buildings,” and/or “the building is a good example of a modest design representing the area or repeated in many locations.” In the HCD Plan, C-rated locations are classified as heritage properties. The following HCD Plan policies apply:

- *Any proposal to demolish a building or portion of a building within the HCD shall require Heritage Alteration Permit from the City.*
- *Where demolition of a building located on a property within the HCD is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition.*
- *Where demolition of a heritage property is proposed, the owner/applicant shall maintain traditional setbacks, scale, and massing in their new development/ redevelopment plans.*

Request for Demolition of a Property in a Heritage Conservation District

The *Ontario Heritage Act* directs that no owner of property situated within a designated heritage conservation district is permitted to demolish the property unless a permit is obtained from the municipality to do so. A request for the demolition of the subject property was submitted by the owner and notice of receipt was served on June 30, 2015.

The owner has also applied for a Heritage Alteration Permit citing the demolition of the existing buildings on the subject properties and submitting attached permit drawings for a proposed replacement structure on them. The Heritage Alteration Permit application is subject of a separate report to, and consultation with, the London Advisory Committee on Heritage [LACH].

Under s. 42 (4) of the Act, within 90 days after the notice of receipt is served on the applicant, Council may give the applicant,

- (a) the permit applied for;
- (b) notice that Council is refusing the application for the permit; or
- (c) the permit applied for, with terms and conditions attached.

If Council fails to do any of the things mentioned in subsection (4) within the 90 days, Council shall be deemed to have given the applicant the permit applied for. If Council refuses the permit applied for or gives the permit with terms and conditions attached, the owner of the property may appeal to the Ontario Municipal Board within 30 days of receiving notice of refusal or a conditional permit.

LACH Comments

The *Ontario Heritage Act* requires that Council consult with its municipal heritage committee, the LACH, when a demolition permit application is received for a heritage designated property. The

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LACH Stewardship sub-committee at its June 26, 2015 meeting undertook a preliminary review of the Heritage Alteration Permit drawings to present to the July 16, 2015 LACH meeting for consideration in reaching a recommendation on this demolition application. It is anticipated that LACH will have a recommendation available to present at the July 20, 2015 meeting of the Planning & Environment Committee.

PLANNING HISTORY

The *Provincial Policy Statement (2014)* 2.6.1 directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved”. Properties included in the Wortley Village-Old South Heritage Conservation District Plan are considered to be significant within the context. “Conserved” is defined in the *Provincial Policy Statement (2014)* as “the identification, protection, use and/or management of built heritage resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*”.

London’s *Official Plan* policy 13.3.2 requires that “after a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the *Ontario Heritage Act* and any secondary plan which takes the form of a Heritage Conservation District Plan.”

The applicant subject of this report also submitted an application on December 15, 2014 for site plan approval covering the properties at 136, 136A, and 138 Wortley, during the period when the HCD Plan was under appeal at the Ontario Municipal Board. While the HCD was not applicable law from then until June 1, 2015, the applicant was advised that these properties were within the HCD and replied with an intent to comply with the HCD policies and guidelines, both in ongoing staff reviews and in the Urban Design Brief prepared for and considered at the March 18, 2015 meeting of the Urban Design Peer Review Panel.

In referencing demolition of properties in the district, the *Wortley Village-Old South Heritage Conservation District Plan* establishes in policy 4.2.2 that, “a goal of HCD is to conserve and protect the cultural heritage resources in both the short-term and over the long-term.” However, the plan also recognizes that there are situations where demolition may be necessary, including the “[occasional] redevelopment that is in keeping with appropriate city policies.”

ANALYSIS

The *Wortley Village-Old South Heritage Conservation District Plan* indicates that the properties at 136A and 138 Wortley Road make “modest” or no heritage contribution to the district. In situations where demolition is approved by Council, written and/or photographic documentation of any notable heritage attributes (e.g. architectural features and construction techniques) will be required to create a record of the property and its attributes. Also, reclamation is encouraged of suitable building materials for potential reuse in a new building. There are no heritage attributes or building materials at these properties which merit taking these steps.

The HCD Plan contemplates demolition, including “redevelopment that is in keeping with appropriate city policies.” The Plan invokes submission of a Heritage Alteration Permit application for evaluating such redevelopment and “the City may require the submission of permit drawings for an approved replacement structure that promotes the goals and objectives of the HCD Plan and is in keeping with appropriate City policies”. A Heritage Alteration Permit application containing sufficient information in these regards has been received and referred for staff and LACH review as at the writing of this report.

Applications submitted pursuant to the Planning Act were received for the demolition and redevelopment of these properties before the HCD Plan came into force and effect. Those

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submissions, and the submission of the Heritage Alteration Permit application pursuant to the *Ontario Heritage Act*, aim to comply with the HCD policies and guidelines. In order to maintain timelines for submission of this report and the statutory timelines cited in the *Ontario Heritage Act*, a recommendation regarding the requested demolition must be presented herein while the Heritage Alteration Permit application review is in progress.

CONCLUSION

Given the direction provided in the *Wortley Village-Old South Heritage Conservation District Plan*, and that submissions provided for therein are currently under staff and LACH review, the most appropriate option under s. 42 (4) of the *Ontario Heritage Act* regarding the request for demolition on these properties, is to approve the permit applied for, with terms and conditions attached indicating that, prior to the initiation of demolition, the applicant obtain a Heritage Alteration Permit for an approved replacement structure that promotes the goals and objectives of the HCD Plan and is in keeping with appropriate City policies.

PREPARED & SUBMITTED BY:
JIM YANCHULA, MCIP, RPP MANAGER, URBAN REGENERATION
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

July 6, 2015
JY/

Attach: Appendix 1- Location Map; Appendix 2- Photos

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Appendix 1- Location map – 136A AND 138 Wortley Road



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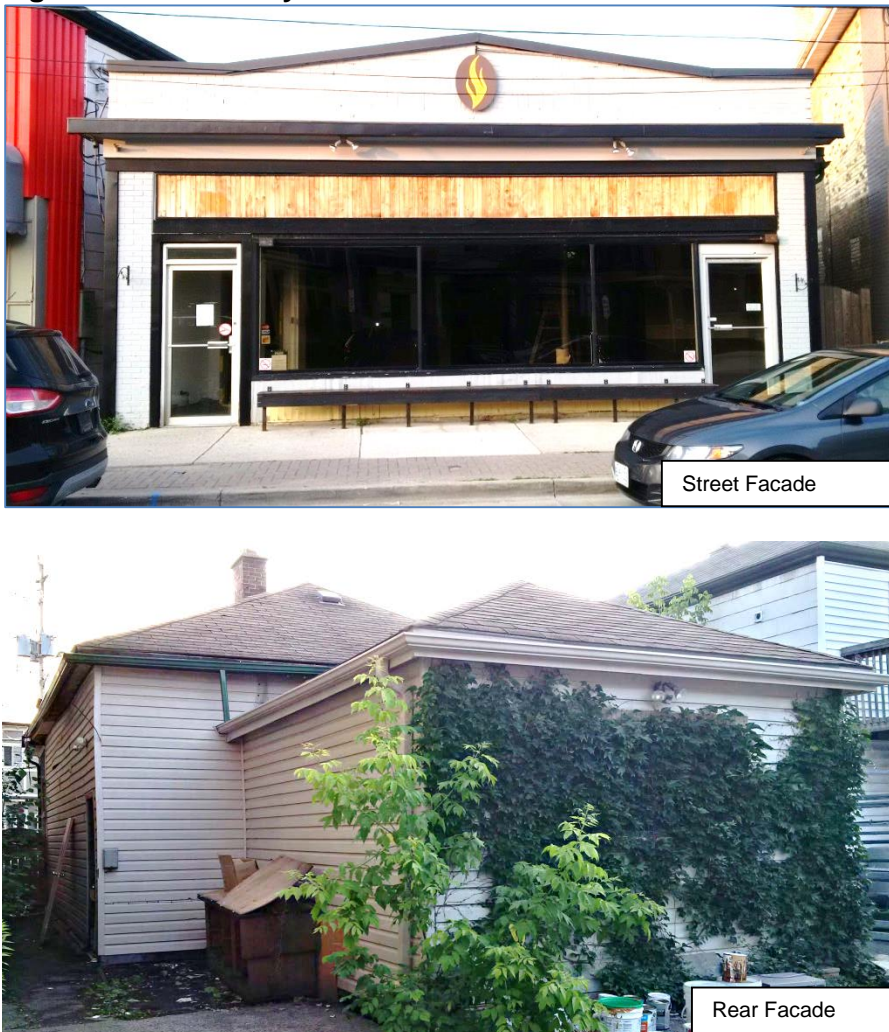
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Appendix 2: Photos

Figure 1: 136A Wortley Road



Figure 2: 138 Wortley Road



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APPENDIX B

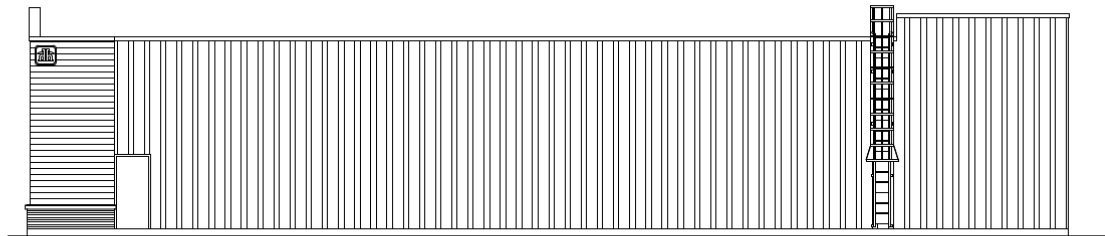
Heritage Alteration Permit Application of D. Tuckey requesting permission for façade redesign at 136 Wortley Road and building replacement at 136A and 138 Wortley Road, within the Wortley Village-Old South Heritage Conservation District, elevations provided by the applicant



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



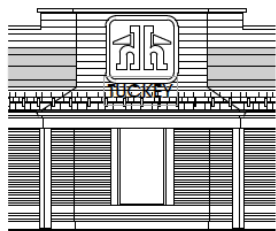
WEST ELEVATION 
SCALE: 1/8" = 1'-0"



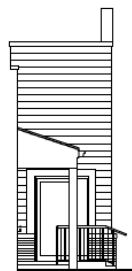
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



CORNER ELEVATION



COFFEE SHOP ENTRANCE ELEVATION