

HAP 17-001-L

K. Gonyou

TO:	<div>CHAIR AND MEMBERS</div> <div>LONDON ADVISORY COMMITTEE ON HERITAGE</div> <div>MEETING ON WEDNESDAY MARCH 8, 2017</div>
FROM:	<div>JOHN M. FLEMING</div> <div>MANAGING DIRECTOR, PLANNING AND CITY PLANNER</div>
SUBJECT:	<div>HERITAGE ALTERATION PERMIT APPLICATION</div> <div>AT 30 OXFORD STREET WEST,</div> <div>BLACKFRIARS/PETERSVILLE HCD</div> <div>BY: FEROZE ZUBAIR</div>

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval of previous alterations to the building located at 30 Oxford Street West, within the Blackfriars/Petersville Heritage Conservation District, **BE REFUSED** as submitted as they are contrary to the objectives of the *Blackfriars/Petersville Heritage Conservation District Plan*.

That the following alterations **BE APPROVED** as terms and conditions of the Heritage Alteration Permit:

- Installation of a hung style window which fills the entire void of the brick opening on the west façade;
- Reinstatement of the transom above the front door with a glass pane;
- Paint the replacement door and window to compliment the house; and,
- Display the Heritage Alteration Permit in a location visible from the street until the work is completed.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended action is to seek remedial action in response to alterations made without obtaining a Heritage Alteration Permit to a heritage designated property located within the Blackfriars/Petersville Heritage Conservation District (HCD). The nature of the alteration require a permit pursuant to Section 42(2.1) of the *Ontario Heritage Act* and the classes of alterations identified in the *Blackfriars/Petersville HCD Plan & Guidelines*.

Penalties for failing to comply with an order, director or other requirement made under the *Ontario Heritage Act* can include a fine of not more than \$50,000 or up to one year imprisonment. The ability to fine unauthorized alterations is reliant on enforcement and prosecution.

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

BACKGROUND

Location

The property at 30 Oxford Street West is located on the south side of Oxford Street West between St. Andrew Street and Wharncliffe Road South (Appendix A).

Property

The property was designated under Part V of the *Ontario Heritage Act* on May 15, 2015 as part of the Blackfriars/Petersville HCD. 30 Oxford Street West is identified as a Contributing Resource by the *Blackfriars/Petersville HCD Plan & Guidelines*. The designating by-law for the Blackfriars/Petersville HCD is registered on the title of every property located within its boundaries. An annual reminder to owners of heritage designated properties is published in *The Londoner* during Heritage Week, and reminder postcards addressed to property owners have been distributed in 2016 and 2017 to ensure awareness of the requirement to obtain approval for property alterations.

Description

The building at 30 Oxford Street West was built circa 1909 (Appendix B). It has a rectangular footprint and has a side hall plan. The building has a hip roof with a gable at the north end of the building facing Oxford Street West. The building is constructed of brick which has been painted. The foundation of the building may have been constructed of concrete block, however it appears to have been parged with concrete. Queen Anne Revival style detailing can be seen in the imbrication of the north gable. An addition was built onto the rear of the original building and is differentiated by its siding and its roof structure. Some of the windows were replaced prior to the designation of the property in 2015. However the front door and window opening on the west façade have been altered. These alterations occurred without obtaining Heritage Alteration Permit approval.

HERITAGE ALTERATION PERMIT APPLICATION

As required by the *Ontario Heritage Act*, the *Blackfriars/Petersville HCD Plan* identifies classes of alterations that require, or do not require, Heritage Alteration Permit approval. Window and door replacement, with different materials, size, or design, requires Heritage Alteration Permit approval. Window and door replacement does not typically require a Building Permit, however Heritage Alteration Permit approval is still required.

Alterations were undertaken at 30 Oxford Street West in summer 2016 without obtaining Heritage Alteration Permit approval. An existing window on the west façade was removed and replaced by a much smaller window with the remainder of the void in the brick structure filled in by horizontal vinyl siding. The transom above the front door, which was previously covered, was subject to alterations when the front door was replaced. Instead of restoring the lost transom, the cladding was altered.

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A Heritage Alteration Permit application was submitted by the applicant and received on January 11, 2017. The applicant has applied for a Heritage Alteration Permit seeking retroactive approval for the following alterations:

- Replacement of the window on the west façade with a new window and blocking up a portion of the window void; and,
- Addition of new railing on the back steps.

The replacement of the front door was not included within Heritage Alteration Permit application.

ANALYSIS

One of the objectives of designation of Blackfriars/Petersville as an HCD pursuant to Part V of the *Ontario Heritage Act* is to avoid “unnecessary demolition and inappropriate alterations to identified heritage resources that contribute to the heritage value of the district.” Policies and guidelines of the *Blackfriars/Petersville HCD Plan* support this objective.

Policy 7.4.1.j of the *Blackfriars/Petersville HCD Plan*, for Contributing Resources, states that,

Additions or alterations to contributing resources should be sympathetic, subordinate, distinguishable, and contextual in relation to the existing resource and its context, as well as the heritage attributes and cultural heritage value of Blackfriars/Petersville Heritage Conservation District.

Regarding windows, the design guidelines of Section 10.3.1 state that, “new doors and windows should be of similar style, orientation, and proportion as on the existing building.” This is further supported by the conservation guidelines of Section 11.2.10 which state, “the replacement windows should mimic the original windows with respect to style, size and proportion.”

The alterations subject of this report, for which retroactive approval is being sought via a Heritage Alteration Permit, do not comply with the above policies of the *Blackfriars/Petersville HCD Plan*.

CONCLUSION

The previously undertaken alterations to the building at 30 Oxford Street West have resulted in an adverse impact to the property’s cultural heritage value as a Contributing Resource in the Blackfriars/Petersville HCD. The alterations have not been sympathetic to the architectural style or existing patterns of solids and voids of the brick structure, and are distinguishable in a negative manner.

Remedial action is required to achieve compliance with the *Blackfriars/Petersville HCD Plan*:

- The window on the west façade which was previously filled in with a smaller window and siding must be replaced by a window which fills the entire opening of the brick, in a style, orientation, and proportion that is compatible with the building

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- (e.g. hung window);
- The transom of the front door must be reinstated; and,
 - Paint the replacement door and window to blend in with the existing building per section 11.2.10 of the *Blackfriars/Petersville HCD Plan*.

The new railing, providing a guard to the side door of the building, is sufficient in its compliance with the *Blackfriars/Petersville HCD Plan*, however painted wood railings are preferred within this historic context.

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

2017-02-27

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Attach:

Appendix A – Map

Appendix B – Images

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Map 2: Aerial image of 30 Oxford Street West.

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APPENDIX B — Images



Image 1: Main (north) façade of the building located at 30 Oxford Street West (Google, July 2016).



Image 2: West façade of the building located at 30 Oxford Street West (Google, July 2016).



Image 1: Main (north) façade of the building located at 30 Oxford Street West.



Image 2: West façade of the building located at 30 Oxford Street West.



Image 3: Main (north) façade of the building located at 30 Oxford Street West.



Image 4: West façade of the building located at 30 Oxford Street West.

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Image 5: Detail of window replacement on west façade of the building located at 30 Oxford Street West.



Image 6: View of streetscape on south side of Oxford Street West looking west.



Image 7: Interior image provided by the property owner showing the space inside of the altered window on the west façade.