

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Demolition Request & Heritage Alteration Permit Application
By: Kapland Construction Inc.
491 English Street, Old East Heritage Conservation District
Public Participation Meeting on: Monday March 19, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the *Ontario Heritage Act* to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, **BE PERMITTED** as proposed in the drawings attached as Appendix D, subject to the following terms and conditions:

- (a) The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the submitted design prior to issuance of the Building Permit;
- (b) The property owner be encouraged to use colours from the Old East Heritage Conservation District palette; and,
- (c) Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Executive Summary

Summary of Request

The Demolition Request and Heritage Alteration Permit application are seeking a permit from Municipal Council to demolish the existing building and to erect a new building on the property located at 491 English Street, within the Old East Heritage Conservation District, in accordance with Section 42 of the *Ontario Heritage Act*.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the demolition of the existing building located at 491 English Street and permit the erection of a replacement building as proposed, with terms and conditions to ensure compatibility with the Old East Heritage Conservation District.

Rationale of Recommended Action

The existing building at 491 English Street is C-Ranked by the *Old East Heritage Conservation District Plan*. The proposed replacement building complies with the policies and guidelines of the *Old East Heritage Conservation District Plan* and should be permitted with terms and conditions.

Analysis

1.0 Background

1.1 Property Location

The property at 491 English Street is located on the west side of English Street, between Lorne Avenue and Queens Avenue (Appendix A). The property abuts the former Lorne Avenue Public School (723 Lorne Avenue) property.

1.2 Cultural Heritage Status

The property at 491 English Street is located within the Old East Heritage Conservation District, which was designated under Part V of the *Ontario Heritage Act* on September 10, 2006. The property at 491 English Street is a C-Ranked property by the *Old East Heritage Conservation District Plan*.

1.3 Description

The existing building located at 491 English Street is a single storey, frame building (Appendix B). The building is vernacular. It is a side hall plan cottage with a rectangular footprint and a hipped roof. The building has three bays across its front façade, with the main entry door in the southern-most bay and one window in each of the northern two bays. A bay window projects from the south façade of the building. The front door does not appear to be original, and it is not clear if the existing windows are original. There appears to be two additions onto the original structure at its rear. The building is clad in vinyl siding. Physical evidence indicated that at least a portion of the building was clad in insul-brick, a shingle-like cladding which mimicked the appearance of masonry (see Appendix B).

The property at 491 English Street slopes up to the house from the street level at English Street. A short flight of concrete steps is located adjacent to the shared driveway which provides access to the properties at 489 English Street and 491 English Street.

1.4 Historical Research

Located within land owned by Noble English, the residential area of the Old East Heritage Conservation District was developed from the 1860s into the 1930s. The former Town of London East was annexed by the City of London in 1885. The first survey of the English estate for development was completed in 1856 and included the first five blocks from Adelaide Street North to Elizabeth Street, between Dundas Street and Elias Street. Following the death of Noble English in 1872, his family continued to survey the family's estate into lots for development.

The subject property is located at Part Lots 9-10, Block I, Registered Plan 296 (May 8, 1872). Block I was established in the 1872 survey of the eastern part of the Noble English estate (Registered Plan 304, 1872). The *Map of the City of London and Suburbs* (1878) (a supplemental map to the *Illustrated Historical Atlas of the County of Middlesex*) shows the parcel fabric of Block I. No development is noted in this area in the *Bird's Eye View of London* (1872); development is noted in this vicinity on the *Bird's Eye View of London* (1893), however it does not provide any clarity or detail. Neither *Bird's Eye View* nor the *Illustrated Historical Atlas* contain consistently reliable references as both maps were produced on a subscription-basis, but can be considered generally indicative.

Based on information available through City Directory research, the home at 491 English Street was constructed in about 1884 and first occupied by Joseph Sanders (1834-1919) (see Appendix C). Joseph Sanders was a veteran of the Crimean War, painter, shoemaker, and became the Secretary and Inspector of the Children's Aid Society and Humane Society following his immigration to Canada in 1883 from England. He, his wife, and his family of two sons and three daughters, lived at the home at 491 English Street from about 1884 until at least 1910. *Title Children first: a historical review of the Children's Aid Society of London and Middlesex, 1893-1992* (1992) outlines the work of Joseph Sanders for the Children's Aid Society.

2.0 Legislative/Policy Framework

2.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement* (2014) 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."

"Significant" means "resources that have been determined to have cultural heritage value or interest for the important contributions they make to our understanding of the history or a place, an event or a people" (*PPS* 2014). "Built heritage resource" means "a building, structure, monument, installation or any manufactured remnant that contributes to a

property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers' (PPS 2014). "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 under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments" (PPS 2014).

2.2 Ontario Heritage Act

In requests for demolition and/or erection of a building located on a property located within a Heritage Conservation District, the *Ontario Heritage Act* enables municipalities to give the applicant:

- a) The permit applied for;
- b) Notice that the council is refusing the application for the permit; or,
- c) The permit applied for, with terms and conditions attached (Section 42(4), Ontario Heritage Act).

Municipal Council must respond within 90 days after receipt of a demolition request and/or Heritage Alteration Permit application (Section 42(4), *Ontario Heritage Act*). Consultation with the municipality's municipal heritage committee (the London Advisory Committee on Heritage) is required (Section 42(4.1), *Ontario Heritage Act*). It is the Municipal Council's policy to consider demolition requests for heritage listed and designated properties with a public participation meeting held at the Planning & Environment Committee, with notice sent to property owners within 120m of the subject property. Non-decision within 90-days, the refusal, or terms and conditions on the approval of a demolition request may be appealed to the Ontario Municipal Board (OMB)/Local Planning Appeal Tribunal (LPAT).

Additionally, a permit (Heritage Alteration Permit) is required to make alterations to a property within a Heritage Conservation District. Per Section 41.1(5.e) of the *Ontario Heritage Act*, the Old East Heritage Conservation District Plan has defined new buildings as requiring Heritage Alteration Permit approval. Given the substantial nature of new buildings within a Heritage Conservation District, these Heritage Alteration Permit applications meet the Conditions for Referral defined within the Delegated Authority By-law (By-law No. C.P.-1502-129), thus requiring consultation with the London Advisory Committee on Heritage (LACH) and a decision by Municipal Council.

2.3 Official Plan/The London Plan

Consistent with the PPS, there is an underlying preference by the *Official Plan* (1989 as amended) and *The London Plan* (approved 2016) policies that cultural heritage resources be conserved and protected, and that the removal of these resources is the least desirable course of action and should be discouraged.

Chapter 13, Heritage, of the *Official Plan* includes objectives which support the "protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community" (Section 13.1.i, *Official Plan*). Section 13.3.6 of the *Official Plan*, speaking generally to Heritage Conservation Districts, states that "the character of the District shall be maintained by encouraging the retention of existing structures and landscape features." The policies of our *Official Plan* discourage the demolition of existing buildings within our Heritage Conservation Districts.

2.4 Old East Heritage Conservation District Plan & Guidelines

The Old East Heritage Conservation District was designated by By-law No. L.S.P.3383-111 and came into force and effect on September 10, 2006. The *Old East Heritage Conservation District Plan & Guidelines* provides policies and guidelines to help manage change for the nearly 1,000 properties located within its boundaries.

While the first goal of the *Old East Heritage Conservation District Plan & Guidelines* is to "encourage the retention and adaptation of heritage buildings rather than the demolition and replacement of those buildings," properties within the Old East Heritage Conservation District are rated on a scale of A-D; A-rated properties being the architectural and historical gems of the Old East Heritage Conservation District, and D-

rated properties being those that have limited or no contributions to the heritage character of the Old East Heritage Conservation District. The *Old East Heritage Conservation District Plan* states, “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” (Section 6.5, *Old East Heritage Conservation District Plan*).

Recognizing that change will occur, the *Old East Heritage Conservation District Plan & Guidelines* also provides policies and guidelines to ensure that new development is compatible with its heritage character. Section 4.4 of the *Old East Heritage Conservation District Plan* provides the following direction for new buildings:

- *Match setback, footprint, size, and massing patterns of the neighbourhood, particularly to the immediately adjacent neighbours;*
- *Respond to unique conditions or location, such as corner properties;*
- *Use roof shapes and major design elements that are complementary to surrounding building and heritage patterns;*
- *Use materials and colours that represent the texture palette of the heritage area;*
- *Where appropriate, incorporate some of the details that were standard design elements in the principal facades of the properties in Old East London. Such details as transoms and sidelights at doors and windows, covered porches, divided light windows and decorative details to articulate plain and flat surfaces, add character that complement the original appearance of the neighbourhood, and add value to the individual property;*
- *Front drive garages are strongly discouraged. Garages should be detached and located in the rear yard wherever possible.*

3.0 Demolition Request & Heritage Alteration Permit Application

3.1 Demolition Request

A demolition request for the existing building at 491 English Street was received on February 22, 2018 in concert with a Heritage Alteration Permit application for a proposed building. Per Section 42(4) of the *Ontario Heritage Act*, the 90-day timeline for the demolition request and Heritage Alteration Permit application will expire on May 23, 2018.

3.2 Heritage Alteration Permit application

Municipal Council has delegated approval of Heritage Alteration Permit applications that do not meet the “conditions for referral” defined in the Delegated Authority By-law (C.P.-1502-129) to the City Planner. As a proposed new building within a Heritage Conservation District, the Heritage Alteration Permit application for 491 English Street was determined to meet the “conditions for referral” thus requiring consultation with the London Advisory Committee on Heritage (LACH) before a decision on the Heritage Alteration Permit application by Municipal Council.

A Heritage Alteration Permit application was submitted by the property owner and received on February 23, 2017. The property owner has applied for a Heritage Alteration Permit to:

- Erect a new single unit, two storey building with the following details (see drawings in Appendix D):
 - Rectangular footprint, approximately 16.46m in length and 6.7m in width, set in line with adjacent buildings on English Street;
 - Frame, two storeys in height, with a basement;
 - Concrete foundation;
 - Asphalt-clad hipped roof with cross gables (north-south and east-west);
 - Tower feature at the northeast corner;
 - Clad in horizontal fiber cement board (“Hardie Board”) with end boards;
 - Upper storey of tower to be clad in fiber cement board shingles;
 - Single hung aluminium-clad wood windows with fiber cement trim;
 - A rounded arch window on the north and south facades set below a peak with finial, pendant, and decorative bracing;
 - Bay window with copper Mansard-style roof with metal cresting on the north

- facade; and,
- Painted wood entry porches on the east and west facades with wood balustrade with square spindles, wood floor and steps, plinths, colonnettes, and entablature to support an open porch on the second storey.

A site visit was undertaken by the Heritage Planner on February 16, 2018, in advance of the submission of the demolition request and Heritage Alteration Permit application for 491 English Street.

4.0 Analysis

4.1 Demolition Request

In general, the demolition of buildings within any of London’s Heritage Conservation Districts is discouraged. However, as noted in Section 6.5 of the *Old East Heritage Conservation District Plan*, there are situations where demolition may be an appropriate consideration such as partial destruction due to fire or other catastrophic event, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies. In these situations where consideration of a demolition request is appropriate, photographic documentation and reclamation is recommended.

Historical research did not identify any significant historical associations of the property or its occupants. See Appendix C for City Directory research for the occupants of 491 English Street.

The existing building at 491 English Street is a suitable candidate for demolition and replacement with a new building that is compatible with the Old East Heritage Conservation District. The Heritage Planner undertook photographic documentation of the property (see Appendix B). The site visit undertaken on February 16, 2018 did not identify any suitable materials for salvage, reclamation, or reuse.

4.2 Heritage Alteration Permit

Section 4.4 of the *Old East Heritage Conservation District Plan* identifies policies for the residential area and new development within the residential area. These policies are intended to ensure the conservation of the heritage character of Old East Heritage Conservation District. Those policies were used in the analysis of the proposed new building at 491 English Street.

The proposed building appears to take Queen Anne Revival stylistic references, which is compatible with the heritage character of the Old East Heritage Conservation District. The Queen Anne Revival style can be seen in the complicated massing and roof forms of the proposed building, as well as its refined level of detailing particularly found in the double porch, window trim, and combination of horizontal siding and shingle imbrication in the tower (see Appendix D).

Table 1: Analysis of the proposed building for 491 English Street using the policies of Section 4.4 (New Buildings) of the Old East Heritage Conservation District Plan.

Section 4.4: New Buildings	Analysis
Match setback, footprint, size, and massing patterns of the neighbourhood, particularly to the immediate adjacent neighbours.	<p>The footprint of the proposed building has been aligned to match the setback of the abutting buildings on English Street (see Appendix D – Site Plan). The tower component of the proposed building projects slightly, giving prominence to this feature.</p> <p>The existing building is smaller than many of its adjacent and nearby neighbours. The proposed building more closely matches the massing of adjacent and nearby properties as it is a two storey building.</p>

Section 4.4: New Buildings	Analysis
Respond to unique conditions or location, such as corner properties.	<p>This property abuts the former Lorne Avenue Public School property (723 Lorne Avenue). It is anticipated that this site will become a park in the future. As such, this is a high priority location for a proposed building that is compatible with the heritage character of the Old East Heritage Conservation District.</p> <p>The proposed building responds to this unique and high profile location with architectural details which emphasizes the corner, particularly with the tower detail. This ensures that the proposed building has visual and architectural interest on the facades with the greatest visibility from the public realm.</p>
Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.	<p>The roof of the proposed building is complex, which reflects the building's Queen Anne Revival styling. The roof is principally composed of a steeply pitched hipped roof (12:10) with north-south and east-west intersecting cross gables, and a corner tower. Hipped roofs and cross-gables are common in the Old East Heritage Conservation District.</p> <p>Towers are found in high-profile locations within the Old East Heritage Conservation District. For example, homes with corner towers can be found at 509 and 506 Ontario Street (intersection of Ontario Street and Lorne Avenue), as well as 503 Quebec Street.</p>
Use materials and colours that represent the texture and palette of the heritage area.	<p>The proposed use of fiber cement board as the primary cladding material is compatible with the heritage character of the Old East Heritage Conservation District.</p> <p>Details of the building, including the porch, are constructed of wood with a painted finish which is consistent with the texture and palette of the Old East Heritage Conservation District. The exterior doors should be wood as well.</p> <p>The application of undivided sash (hung) style aluminium-clad wood windows is appropriate within the context of the Old East Heritage Conservation District. The rounded arch window are compatible with the Queen Anne Revival style of the proposed building.</p> <p>Use of colours from the Old East Heritage Conservation District palette is recommended.</p>
Where appropriate, incorporate some of the details that were standard elements in the principal facades of the properties in Old East London.	<p>The proposed building utilizes design details found throughout the Old East Heritage Conservation District, particularly those of the Queen Anne Revival style. In particular, the proposed building includes: stained glass transom, emphatic window trim, double porch (upper and lower) with wood columns and balustrade, finials, and bay window.</p>
Front drive garages are strongly discouraged. Garages should be detached and located in the rear yard wherever possible.	<p>No front drive garage or parking is proposed. Parking is appropriately located at the rear of the proposed building, and will be accessed via a driveway at the south edge of the property (along its current alignment). Front yard parking should be prohibited.</p>

The proposed building for 491 English Street complies with the policies and guidelines of the *Old East Heritage Conservation District Plan & Guidelines*.

5.0 Conclusion

As a C-rated property within the Old East Heritage Conservation District, the existing building at 491 English Street is a suitable candidate for demolition and replacement. The design of the proposed building at 491 English Street, including its setback, footprint, size, massing patterns, and finishes and details are compliant with the goals and objectives of the *Old East HCD Plan* and should be approved.

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Submitted by:	Jim Yanchula, MCIP RPP Manager, Urban Regeneration
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

March 9, 2018
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Sources

City of London. Property file: 491 English Street.

City Directory. Various years.

Old East Heritage Conservation District Plan & Guidelines.

McEachren, C. and Morris, P. *Title Children first: a historical review of the Children's Aid Society of London and Middlesex, 1893-1992.* 1992.

Appendix A – Maps

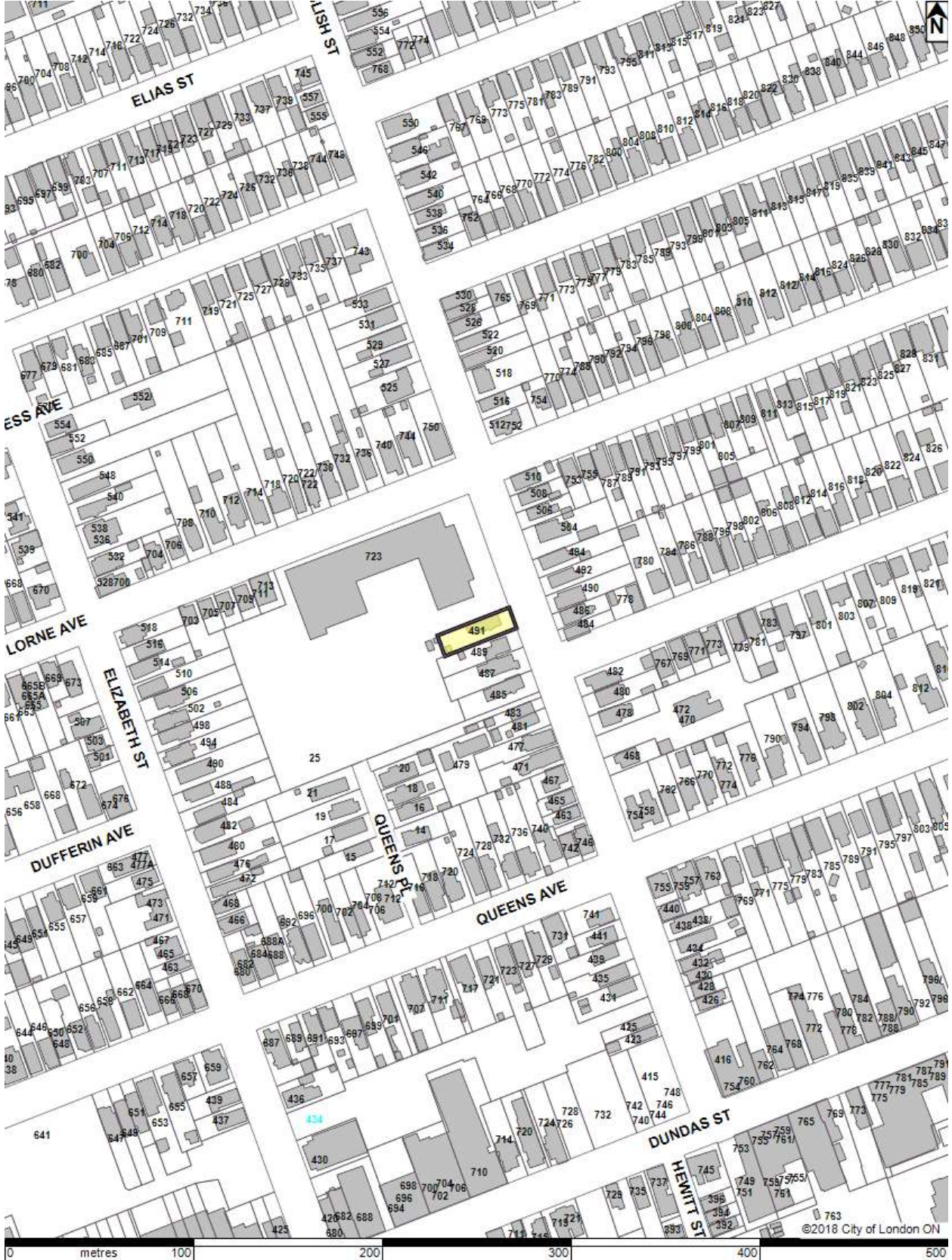


Figure 1: Property location of 491 English Street.

Appendix B – Images



Image 1: View of front (east) façade of the building located at 491 English Street.



Image 2: View looking northwest of the property at 491 English Street. Note former Lorne Avenue Public School building at 723 Lorne Avenue in the background.



Image 3: Detail of the front door of the building located at 491 English Street.



Image 4: Detail of the front windows of the building located at 491 English Street.



Image 5: South façade of the building at 491 English Street, looking east.



Image 6: Detail showing insul-brick cladding underneath vinyl siding of building at 491 English Street.

Appendix C – City Directory Information

City Directory information for 491 English Street:

Year	Name	Source
1875	Vacant	City Directory
1877	No residents listed	City Directory
1881-1882	One resident on west side of English Street north of Queens Avenue; no address listed	City Directory
1885	Joseph Sanders, shoemaker, "75 English Street"	City Directory (Alphabetical)
1886	Joseph Sanders (f), shoemaker, Caravilla (Boot & Shoemakers)	City Directory (Streets and Alphabetical)
1887	Joseph Sanders	City Directory
1888-1889	Joseph Sanders	City Directory
1890	Joseph Sanders, shoemaker	City Directory
1891	Joseph Sanders	City Directory
1892	Joseph Sanders	City Directory
1893	Joseph Sanders	City Directory
1894	Joseph Sanders	City Directory
1895	Joseph Sanders	City Directory
1896-1897	Joseph Sanders, Inspector, Humane Society	City Directory
1897-1898	Joseph Sanders	City Directory
1898-1899	Joseph Sanders	City Directory
1900	Joseph Sanders	City Directory
1901	Joseph Sanders, Secretary and Inspector, Unity Charity and Humane Society, Children's Aid Society	City Directory
1909-1910	Joseph Sanders, Secretary and Inspector, Children's Aid Society and Charity Organization, and Humane Society, office City Hall	City Directory (Streets and Alphabetical)
1915	H. W. McCarty, works McClary Manufacturing Co.	City Directory (Streets and Alphabetical)
1916	H. W. McCarty	City Directory
1919	John Warner, foreman, G. M. Reid & Co.	City Directory (Streets and Alphabetical)
1920	Hy Wilson, works C. S. Hyman & Co.	City Directory (Streets and Alphabetical)
1922	Hy Wilson, works C. S. Hyman & Co.	City Directory
1928	William A. Evans, carpenter, John Hayman & Sons	City Directory (Streets and Alphabetical)
1929	Mrs. A. L. Collver	City Directory
1934	Mrs. A. L. Collver	City Directory
1936	Mrs. A. L. Collver	City Directory
1937	C. E. Cooper	City Directory
1938	C. A. Cooper	City Directory
1943	C. Thompson	City Directory
1945	C. Thompson	City Directory
1955	Cameron C. & Pauline L. Thompson, butcher, Coleman Pkg.	City Directory (Streets and Alphabetical)
1960	C. Thompson	City Directory
1970	Pauline Thompson	City Directory
1981	Pauline Thompson	City Directory
1991	Paul Cartwright	City Directory
2000	J. Johnston	City Directory
2010	J. Johnston	City Directory

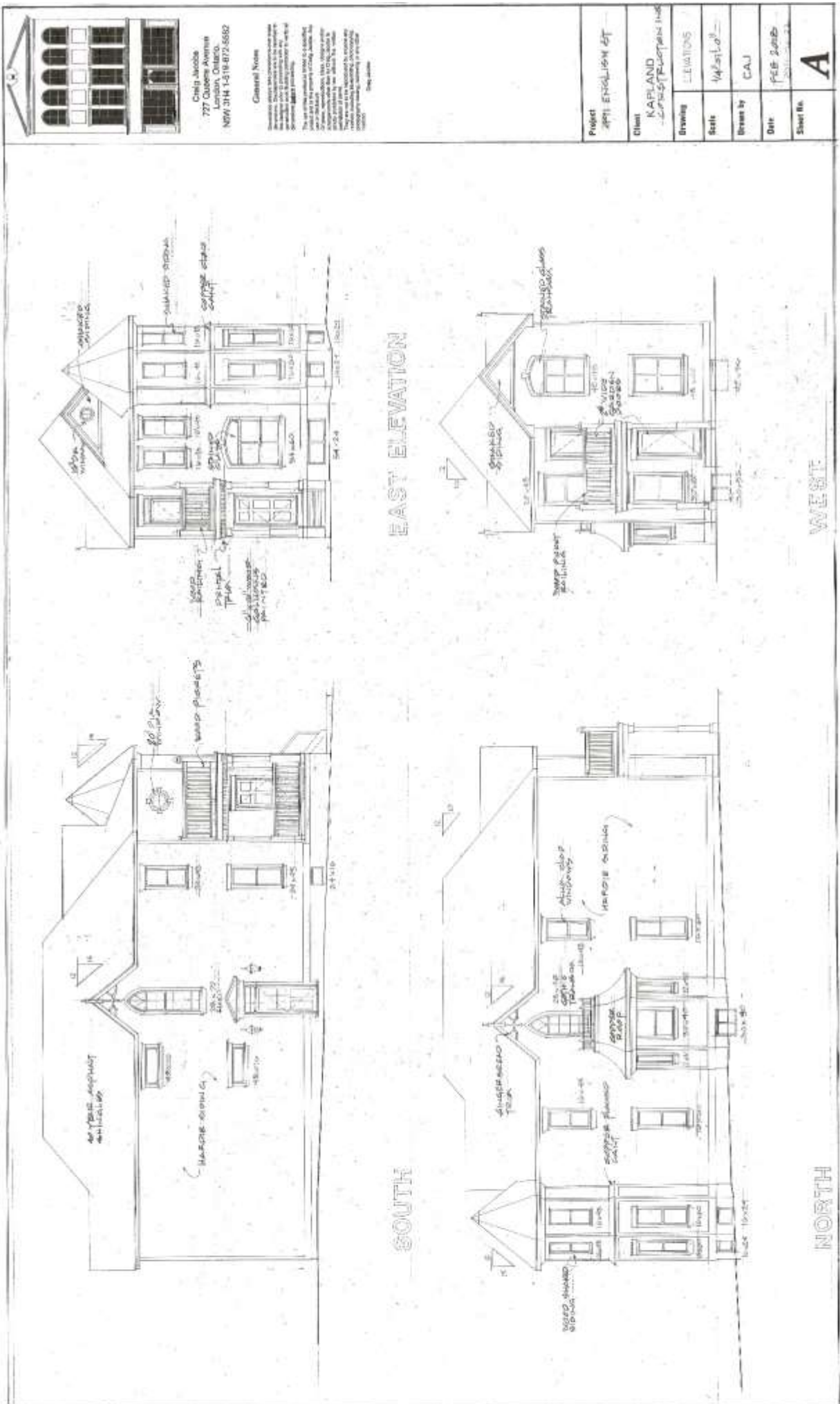


Figure 3: Architectural drawings showing the façades of the proposed building at 491 English Street.