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| TO: | CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE |
| FROM: | JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER |
| SUBJECT: | REQUEST FOR DEMOLITION 591 MAITLAND STREET PUBLIC PARTICIPATION MEETING ON: MONDAY, NOVEMBER 5, 2012: NOT BEFORE 5:30 P.M. |
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| RECOMMENDATION |
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That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner and the London Advisory Committee on Heritage, the following report **BE RECEIVED** and that Municipal Council **ADVISE** the Chief Building Official with respect to the request by J. Regehr and Renee Kaplansky for the demolition of the designated residential building at 591 Maitland Street that no demolition permit be issued; it being noted that the London Advisory Committee on Heritage concurs with this recommendation against demolition.

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| PREVIOUS REPORTS PERTINENT TO THIS MATTER |
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2008 June 16: Report to Planning Committee – **West Woodfield Heritage Conservation District**

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| BACKGROUND |
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The residence at 591 Maitland Street is a one and one half storey wood frame building clad with vinyl siding built c. 1884. It is located on the west side of Maitland Street mid-block between Central Avenue and Princess Avenue. (Appendix 1)

The property is designated under Section 41 of the *Ontario Heritage Act* by virtue of its inclusion in the West Woodfield Heritage Conservation District established in 2009. (By-Law L.S.P. 3400 -254.) In the Study which formed the basis for the West Woodfield Heritage Conservation District, the residence at 591 Maitland was assigned a Category “C” rating. This rating is given to buildings where the form and massing of the building belonged to a historical family of buildings / where the building is a good example of a modest design representing the area or repeated in many locations.

An application for its demolition was received in September. A building condition report has also been submitted by the applicant. (Appendix 3) The owners have indicated their intention is to replace the existing building with a new single family residence and have submitted a concept design for the new residence.(Appendix 4)

An application for the demolition of a designated property must be considered within 90 days by municipal Council after consultation with its advisory committee. At its meeting on October 10, the London Advisory Committee received delegations with respect to this application. Its comments opposing the demolition will be presented formally to the Planning and Environment Committee at its meeting on November 5.

Following the October 10 meeting of the LACH, two suggestions were put forward verbally by a

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member of the applicant's family. The first was an offer to allow the Woodfield Community Association an opportunity to purchase the building. The second was an offer to replicate the existing building but allow changes that would enlarge the building to make it more usable for contemporary living requirements.

Staff Analysis

The Official Plan for the City of London (13.3.1) identifies several criteria to be considered in the evaluation of an area for designation as a heritage conservation district. Among these are the following:

- The presence of properties representing a design or method of construction which collectively represent a certain aspect of the development of the City which is worthy of maintaining.
- The presence of physical, environmental or aesthetic elements which individually, may not constitute sufficient grounds for the designation of a Heritage Conservation District, but which collectively are significant to the community.

The West Woodfield Conservation Plan states that "Heritage conservation districts focus on the preservation of a collective area to help retain the key functional and visual attributes that convey or have a connection to the history of the area in which they are located." (West Woodfield Heritage Conservation District Plan, p.1.3) In terms of a heritage district, maintaining the collective area is often done on a streetscape basis and building by building as each relates to the streetscape. The specific goals of the West Woodfield District call for the recognition, protection, enhancement and appreciation of West Woodfield's cultural heritage resources, including buildings, landscapes, and historical connections, and value their contribution to the community. With respect to buildings, the Goal stated is to avoid the destruction and/or inappropriate alteration of the existing building stock, materials and details by, among other measures, strongly discouraging the demolition of heritage buildings and the removal or alteration of distinctive architectural details.(3.1)

A heritage conservation district is not intended to freeze a community in a moment in time. It is expected that change will happen and that it will be in sympathy with the District's goals. The issue of demolition within a heritage conservation district is difficult in situations where the structure proposed for demolition has not suffered catastrophic or structural damage. The Guidelines for West Woodfield and many of the recent heritage conservation districts do not address the matter of replacing viable heritage structures with new construction.

With respect to demolition, the District Plan and Conservation Guidelines for West Woodfield state (4.4.2):

The goal of a heritage conservation district is to preserve and protect the heritage resources within the short term and over the long term. However, it is recognized that there are situations where demolition may be necessary, such as the partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies.

In this request, the building condition report submitted by the applicant notes various deficiencies with the current building but does not state that there are structural issues posing a threat to health and safety for either occupants or others passing by. (Appendix 3) This building was occupied by a tenant until the end of September.

Specifically with respect to policies, the West Woodfield Guideline further states:

- (a) *The demolition of heritage buildings in the District is strongly discouraged.*
- (b) *Any proposal to demolish a heritage building or portion of a building within the District shall require approval from the municipality.*
- (c) *Where demolition of a heritage building is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition.*

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- (d) *In situations where demolition is approved by Council, written and /or photographic techniques may be required to create a record of the building and its components.*
- (e) *Reclamation of suitable building materials such as windows, doors, mouldings, columns, bricks etc. for potential reuse in a new building on the site or as replacement components for other buildings in the neighbourhood which require repair and restoration over time is strongly encouraged if demolition is approved for any heritage buildings in the District.*

The residence in question has lost or has had covered, various heritage attributes. From a heritage perspective, it retains its setback, size and massing as a vernacular style building dating to the late 19th century. It forms part of a streetscape which, itself, is varied in terms of house styles and sizes. In and by itself, it would not be a candidate for designation. Prior to the creation of the West Woodfield District, this building had not been listed as a heritage property. The replacement of this residence by another would likely result in the creation of a better home, in terms of contemporary living standards.

An alternative to demolition may be to allow for an addition. But, given the size of the existing house and the layout of its interior spaces, adding to the existing building is not a suitable alternative for the current homeowners.

Notwithstanding the elements of the plan that discourage demolition, the Guidelines state that demolition may be allowed be for appropriate city policies, without defining what those may be. In itself, replacing an old, single family, residential home with a modern, single family, residential home is not necessarily in keeping with city policies such as intensification. Given the emphasis in the District Plan against demolition, if there is no compelling reason to do so, demolition to allow for new construction may change the character of the district and may defeat the purposes for which a district is normally created. Given that the building in question has not suffered catastrophic damage and is not structurally weak, its replacement by a new residence of better quality may not justify the removal of a piece of the streetscape’s heritage fabric. As previously noted, this is a gap in the current Guidelines. While they do provide direction regarding demolitions in instances of obvious deterioration or hazard, they are less clear in instances where the structure itself may not be an obvious candidate for retention.

If Council approves the request for demolition, a new building may be built in conformity with the guidelines for new construction within the District. The concept plan (Appendix 4) has elements which appear to be in keeping with the Guidelines. Notwithstanding this, it would be a new building, not part of the streetscape present at the time of the creation of the District. Such a building would still require heritage alteration application and approval.

With this request to demolish a designated building, Council may choose to deny the request to demolish, to approve the request with conditions, or to approve the request and notify the Chief Building Official accordingly. Denial of the request, or approval with conditions, may be subject to appeal by the owner to the Ontario Municipal Board.

Staff Recommendation

Consistent with the policies with respect to demolition of the West Woodfield District Plan, it is recommended that this request for demolition be denied and the Chief Building Official be notified accordingly. The following conditions may be required should Council approve the request for demolition:

- That a heritage alteration application be made for a new structure consistent with the Conservation Guidelines for the West Woodfield District.
- That the LACH be consulted with respect to any proposed design for a new structure.
- That reclaimable building materials in the existing structure be reused where possible either in the new structure or elsewhere in the community.

Further, Council may choose to direct staff to review the matter of demolitions within a heritage conservation district in terms of the issue of preserving heritage character while allowing for

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change as this matter will continue to be an issue.

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| PREPARED BY: | SUBMITTED BY: |
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| D. MENARD HERITAGE PLANNER CITY PLANNING & RESEARCH | G. BARRETT, AICP MANAGER CITY PLANNING & RESEARCH |
| RECOMMENDED BY: | |
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| J.M. FLEMING, MCIP, RPP MANAGING DIRECTOR, AND CITY PLANNER | |

October 23, 2012

dm/

Attach: Appendix 1- Location Map; Appendix 2- Photos; Appendix 3- Condition Report;
Appendix 4 – Concept Drawing

Appendix 1- Location Map



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Appendix 2: Photos



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Appendix 2: Photos Continued

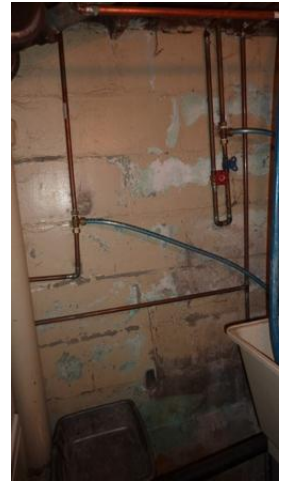
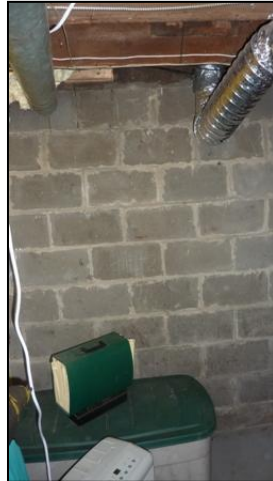
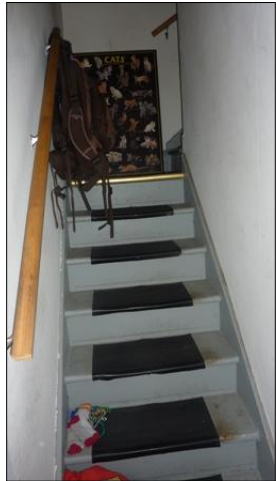
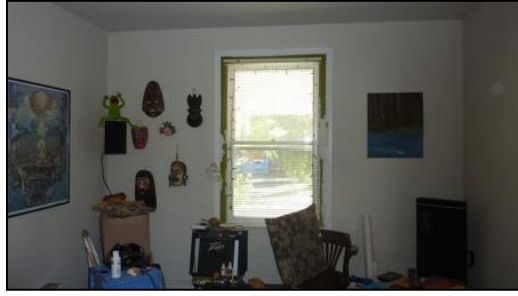
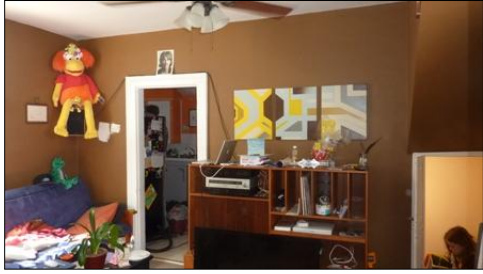


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Appendix 3: Building Condition Report



Santarelli Engineering Services

1464 Adelaide St. N., Suite 6, London, Ontario N5X 1R4 Tel: (519) 451-5530 Fax: (519) 451-4420

September 14, 2012

FIELD REPORT

To: Jay Regehr
591 Maitland Street
London, Ontario

Re: Structural Review
591 Maitland Street
London, Ontario
Our File: 12-594

Dear Sir:

The following was observed at the above-mentioned site on September 6, 2012:

- 1) The existing house is a 1 1/2 storey house. The house has a concrete block foundation and is of wood framed construction. The first floor and half storey are completely finished. The basement is partially finished.
2) There are miscellaneous areas with cracks in the foundation (interior and exterior).
3) The front porch has settled over the years. There are also a few soft spots in the wood deck and framing of the porch.
4) The front wall of the house has cracking along the seams where it connects to the side walls.
5) The brick chimney is beginning to lean away from the building. The lean is more predominant at the top of the chimney.
6) The shingles are cracking and beginning to lift.
7) There is miscellaneous cracking in the drywall throughout the house.
8) In the basement, some of the wood members forming the floor have slight discoloration that may have been caused to extended exposure to moisture. Some of the framing members also have excessive notched or penetrations through them.
9) The stairs, both to the basement and to the upstairs, are very narrow and do not necessarily have an even rise.

Conclusions and Recommendations:

- The cracks in the foundation are to be repointed.
The front porch deck should be dismantled and re-framed level. When the wood framing is removed, the support structure is to be reviewed to see if any repairs are required at that time.
Where the front wall face meets the side walls, partially sections of drywall are to be removed to allow the installation of 18ga clip angles to be installed @ 12" o.c. These clip angles are to be attached directly to the wood framing members.
The brick chimney is either to be removed or re-anchored securely to the house.
The shingles are to be replaced.
The miscellaneous cracking in the drywall is to be patched up.
Any of the framing members that are beginning to warp excessively or have multiple penetrations in a small area are either to be sistered or replaced with a new member of equal size.

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Appendix 4: Concept Drawing for Proposed New Building

