

Report to London Advisory Committee on Heritage

To: Chair and Members
London Advisory Committee on Heritage
From: John M. Fleming
Managing Director, City Planning and City Planner
Subject: Heritage Alteration Permit Application by Kristine Strybosch
at 117 Wilson Avenue, Blackfriars/Petersville Heritage
Conservation District
Meeting on: Wednesday July 10, 2019

Recommendation

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval for previously completed alterations to the property located at 117 Wilson Avenue, within the Blackfriars/Petersville Heritage Conservation District, **BE APPROVED** with the following terms and conditions:

- a) The existing gable cladding be painted;
- b) The existing glass lite of the existing front door be replaced with a plain glass lite as proposed, per Appendix C, and the door be painted; and,
- c) The existing porch be reduced in size, per the drawings in Appendix C, projecting a maximum width of 1.37m from the façade of the building and across the façade of the building a maximum length of 4.0m plus the required stairs with matching guard/railing, constructed of wood, with a wooden guard/railing with top and bottom rail and wooden square spindles set between, per the drawings in Appendix C, and all exposed wood be painted.

Executive Summary

A complaint brought unapproved alterations to the Contributing Resource at 117 Wilson Avenue to the attention of the City. Enforcement action ensued. To obtain a Building Permit, the property owner must first obtain a Heritage Alteration Permit. The property owner has applied for a Heritage Alteration Permit seeking retroactive approval for alterations already completed. Staff have worked with the property owner to achieve compromises in the proposed alterations to achieve greater compatibility with the policies and guidelines of the *Blackfriars/Petersville Heritage Conservation District Plan*. The Heritage Alteration Permit application should be approved with terms and conditions to ensure compliance.

Analysis

1.0 Background

1.1 Property Location

The property at 117 Wilson Avenue is located on the east side of Wilson Avenue between Leslie Street and Carrothers Avenue (Appendix A).

1.2 Cultural Heritage Status

The property at 117 Wilson Avenue is located within the Blackfriars/Petersville Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* on May 15, 2015.

The Statement of Cultural Heritage Value, found in Section 2.3 of the *Blackfriars/Petersville Heritage Conservation District Plan*, identifies what makes the Blackfriars/Petersville area significant as a Heritage Conservation District and also identifies the heritage attributes of the Blackfriars/Petersville Heritage Conservation District.

The Blackfriars/Petersville Heritage Conservation District Plan identifies Contributing Resources and Non-Contributing Resources. The property at 117 Wilson Avenue is identified as a Contributing Resource. Contributing Resources are defined as “a property, structure, landscape element, or other attribute of a Heritage Conservation District that supports the identified cultural heritage values, character, and/or integrity of the HCD. Contributing Resources are subject to the policies and guidelines for conservation, alteration, and demolition.”

1.3 Description

The Contributing Resource at 117 Wilson Avenue was constructed in circa 1950. It is a single storey residential building with a cross gable roof (Appendix B, Image 1-3). It was clad with white brick or a brick-like material, with horizontal siding in the end gables. There was almost no overhang of the gable on its face, but a short overhang of the eaves. The front window was flanked by undersized shutters, typical of the period. The house was accessed by an entry door on the front façade with a concrete steps and metal hand railing forming a porch. The Contributing Resource is considered to be representative of a modest, economical home building from the 20th century with common building characteristics including form, massing, type, scale, roof pitches, and setback.

Alterations were initiated by the property owner in summer 2018. Unapproved alterations included covering of the original concrete and metal railing porch and replacement with a wood deck, recladding of the building with vinyl “board and batten” siding and vinyl faux “cedar shake” siding, door removal and replacement, and removal of the shutters (Appendix B, Images 4-9).

2.0 Legislative and Policy Framework

2.1 Provincial Policy Statement

Section 2.6.1 of the *Provincial Policy Statement* (2014) directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

The *Provincial Policy Statement* (2014) defines “conserved” as: “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 maintained 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.”

2.2 Ontario Heritage Act

Section 42 of the *Ontario Heritage Act* requires that a property owner not alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit:

- 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 a request for a Heritage Alteration Permit application (Section 42(4), *Ontario Heritage Act*).

2.3 The London Plan

The policies of *The London Plan* found in the Cultural Heritage chapter support the conservation of London’s cultural heritage resources. Policy 554_ of *The London Plan* articulates one of the primary initiatives as a municipality to “ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.” To help ensure that new development is compatible, Policy 594_ (under appeal) of *The London Plan* provides the following direction:

- *The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district;*
- *The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area;*
- *Regard shall be had at all times to the guidelines and intent of the heritage conservation district plan.*

2.4 Blackfriars/Petersville Heritage Conservation District

The Blackfriars/Petersville Heritage Conservation District is recognized for its significant cultural heritage value, not just for its individual cultural heritage resources (Contributing Resources) but for the value that they have together, collectively. The goals of the designation of Blackfriars/Petersville as a Heritage Conservation District pursuant to Part V of the *Ontario Heritage Act* support the conservation of its resources. Specifically for its cultural heritage resources:

Goal: To encourage the conservation of contributing heritage resources including buildings, landmarks, and other structures that contribute to the cultural heritage value of the district by:

- *Encouraging that alterations, additions, and renovations to heritage resources be consistent with the identified cultural heritage value of the area;*
- *Encouraging the maintenance and retention of significant heritage landmarks identified in the district;*
- *Avoiding unnecessary demolition and inappropriate alterations of identified heritage resources that contribute to the heritage value of the district; and,*
- *Encouraging sympathetic design and appropriate alterations when new development is proposed to ensure that there is no negative impact on the heritage value of the area, with particular attention to form, scale, massing, and setback.*

To implement this goal and these objectives, the policies of Section 7.4 (Contributing Resources) and the design guidelines of Section 10.3.1 (Design Guidelines – Alterations and Additions) and Architectural Conservation Guidelines of Section 11 were considered in the evaluation of a Heritage Alteration Permit application.

The policies of Section 7.4.1 of the *Blackfriars/Petersville Heritage Conservation District Plan* require the conservation of a Contributing Resource and the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District. In particular,

Policy 7.4.1.e *Alterations that have the potential to impact heritage attributes of a protected heritage resource shall not be permitted.*

Policy 7.4.1.i *Major alterations to the exterior façade of a contributing resource shall not be permitted. Such alteration should only be considered where the intent is to conserve the contributing resource.*

Policy 7.4.1.j *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 the Blackfriars/Petersville Heritage Conservation District.*

The policies of the *Blackfriars/Petersville Heritage Conservation District* do not contemplate a process by which a Contributing Resource could be re-defined or re-identified as a Non-Contributing Resource. Supporting the conservation of Contributing Resources is one of the goals of the *Blackfriars/Petersville Heritage Conservation District Plan*.

3.0 Heritage Alteration Permit Application

A complaint from a community member brought unapproved alterations to the property at 117 Wilson Avenue to the attention of the City on July 12, 2018.

Table 1 of Section 8 of the *Blackfriars/Petersville Heritage Conservation District Plan* identifies where Heritage Alteration Permit approval is required. Specifically relating to the Heritage Alteration Permit application for the property at 117 Wilson Avenue, based on the previously undertaken alterations to the Contributing Resource, Heritage Alteration Permit approval was required for:

- Shutter removal or addition;
- Door replacement, different material, size, or design;
- Porch/verandah replacement, different material, size, and design; and,
- Removal/installation of cladding/siding, different material, colour.

The window replacement undertaken in 2018 was in compliance with the guidelines for the *Blackfriars/Petersville Heritage Conservation District Plan* as there was no alteration or change to the material, size, or design in the replacement windows.

A Heritage Alteration Permit application was submitted by the property owner and received on June 18, 2019, with revised drawings submitted on July 1, 2019. The property owner has applied for a Heritage Alteration Permit to (see drawings and details in Appendix C):

- Re-clad the exterior of the building, with the existing vinyl board and batten siding and existing faux “cedar shake” vinyl siding in the gables;
- Remove the former shutters;
- Replace the front door; and,
- Construct a front porch.

As the alterations have already been undertaken, this Heritage Alteration Permit application has met the conditions for referral requiring consultation with the London Advisory Committee on Heritage (LACH) and a decision by Municipal Council.

Per Section 42(4) of the *Ontario Heritage Act*, the 90-day timeline for this Heritage Alteration Permit application will expire on September 16, 2019.

4.0 Analysis

The policies of Section 7.4 require the conservation of Contributing Resources and the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District. Pursuant to the definition of “conserved” in the *Provincial Policy Statement* (2014), the alterations undertaken at 117 Wilson Avenue do not “conserve” the Contributing Resource “in a manner that ensures their cultural heritage value or interest is maintained.”

The alterations that have been already been undertaken have affected the existing Contributing Resource. The alterations do not comply with policies 7.4.1.e, 7.4.1.i, or 7.4.1.j.

The intent of the design guidelines within Section 10.3.1 of the *Blackfriars/Petersville Heritage Conservation District Plan* is to support the conservation of existing built heritage resources. With this intent, the focus of the design guidelines is ensuring that “alteration and additions respect the surrounding context, particularly with respect to scale and form, and are complementary to the original building” (Section 10.3.1, *Blackfriars/Petersville Heritage Conservation District Plan*, p.52). The guideline most applicable to this Heritage Alteration Permit application is:

- *Alterations to the façade of buildings visible from the front and side of the building on corner lots have the potential to significantly affect the appearance of not only the building itself, but the entire streetscape.*

This guideline highlights the contextual value of properties within the context of a Heritage Conservation District. To support this guideline, further guidelines are provided in Section 11 of the *Blackfriars/Petersville Heritage Conservation District Plan* related to specific elements found on the façades of buildings which were used in the analysis of the Heritage Alteration Permit application for the property at 117 Wilson Avenue.

In an effort to address the matters of non-compliance, staff have worked with the property owner to find compromises and proposed solutions for the alterations to the property at 117 Wilson Avenue to achieve greater compliance with the policies and guidelines of the *Blackfriars/Petersville Heritage Conservation District Plan*.

Exterior Re-Cladding

The alterations undertaken to the Contributing Resource at 117 Wilson Avenue covered the brick or brick-like exterior cladding material with vinyl board and batten style siding. A vinyl, faux “cedar shake” siding covered the former horizontal siding in the gable. These alteration do not comply with the policies of the *Blackfriars/Petersville Heritage Conservation District Plan* that support the conservation of existing Contributing Resources including their exterior cladding.

The recladding of the Contributing Resource at 117 Wilson Avenue has affected its character. While the former brick or brick-like exterior cladding material may not have been original (as suggested by layers of cladding noted by the property owner), it articulated typical mid-century design characteristics and contributed to the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District. While it would have been preferable to conserve the former exterior cladding, the use of board and batten style siding is generally compatible with the overall cultural heritage value of the Blackfriars/Petersville Heritage Conservation District. There are several examples of board and batten-clad buildings, including but not limited to 10 Argyle Street and 69 Wilson Avenue. However, vinyl siding products are not recommended by Section 11.2.7 of the *Blackfriars/Petersville Heritage Conservation District Plan*. While the existing board and batten style siding is vinyl, it does not have a colour tone which attempts to suggest a natural wood product (see Images 6-9, Appendix B).

To improve the compatibility of the vinyl, faux “cedar shake” cladding in the gables, the material should be painted. The property owner confirmed that this vinyl siding product is paintable. The intent of this recommendation is to eliminate the faux “cedar” appearance of the material particularly in its colouring, reducing the non-compliance of this material, while avoiding the costs associated with the replacement of this material, as a compromise. The choice of paint colour is not regulated by the Heritage Conservation District designation and may be selected by the property owner, however painting the gable white to match the existing trim on the house is recommended.

Shutters

The alterations undertaken to the Contributing Resource at 117 Wilson Avenue removed the shutters, which contributed to the character of the property. As an outcome of the exterior recladding of the building, the undersized mid-century style shutters are no longer in keeping with the character of the property at 117 Wilson Avenue and therefore not recommended for replacement.

Door

The alterations undertaken to the Contributing Resource at 117 Wilson Avenue replaced the former painted wood door with a small lite with a new metal door with a large decorated lite. This is in contravention of the guidelines found in Section 11.2.10, stating,

The preservation of original doors and windows is strongly encouraged wherever possible as the frames, glass and decorative details have unique qualities and characteristics that are difficult to replicate.

And,

If possible, retain parts of the original doors and windows, particularly the original glass. Small differences in the interpretation of these details makes a huge

difference in the overall appearance of the building.

These guidelines specifically articulate the potential adverse impacts that can result from the loss or replacement of a door. The replacement door installed at 117 Wilson Avenue is out of character with the Contributing Resource, particularly its glass lite (glass panel), and not of the same style or proportion as required by the policies of Section 10.3.1 of the *Blackfriars/Petersville Heritage Conservation District Plan*. The property owner has proposed replacing the existing glass lite with a plain glass lite, see Figure 4 (Appendix C). The proposed plain glass lite is more compatible with the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District than the existing. The door must be painted. The choice of paint colour is not regulated by the Heritage Conservation District designation and may be selected by the property owner.

Addition (or removal) of a storm or screen door does not require Heritage Alteration Permit approval within the Blackfriars/Petersville Heritage Conservation District.

Porch

The alterations undertaken to the Contributing Resource at 117 Wilson Avenue covered the concrete steps of the original porch and removed the metal railing, and replaced it with a large wooden porch (deck). The original porch was in keeping with the character of the Contributing Resource, reflecting its period of construction in circa 1950. The existing large wooden porch is an inappropriate alteration that is out of character with this Contributing Resource (see Images 4-9, Appendix B). The existing large wooden porch that was constructed does not use materials, forms, or details of the previous concrete step and metal railing. The existing large wooden porch does not conform to the direction of Section 11.2.9 of the *Blackfriars/Petersville Heritage Conservation District Plan* which strongly discourages the “removal or substantial alteration to the size, shape and design of existing porches.”

To improve the compatibility of the porch, staff have worked with the property owner to achieve a proposed compromise. Revised drawings submitted on July 1, 2019 propose a smaller porch than existing, projecting a maximum width of 1.37m from the façade of the building and across the façade of the building to a maximum length of 4.0m plus the required stairs (see Figure 3, Appendix C). A width of 1.37m is required so that the proposed porch will fit over the original concrete porch, presently underneath the existing large wooden porch. These proposed alterations would reduce the porch in size by approximately half, resulting in a size and shape closer to the original porch (approximately 1.31m by 1.9m). The railing/guard would be replaced by a style more typically compatible with the Blackfriars/Petersville Heritage Conservation District with wood square spindles set between a top and bottom rail (see Figure 2, Appendix C). This would be in keeping with a typical railing style expected of a board and batten-clad building. All exposed wood of the porch must be painted. The choice of paint colour is not regulated by the Heritage Conservation District designation and may be selected by the property owner.

5.0 Conclusion

Alteration undertaken to the Contributing Resource at 117 Wilson Avenue have affected the character of the property. Staff have worked with the property owner to propose alterations that would bring the property into greater compliance with the policies and guidelines of the *Blackfriars/Petersville Heritage Conservation District Plan*, which should be approved with terms and conditions to ensure compliance.

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Submitted by:	Gregg Barrett, AICP Manager, Long Range Planning and Sustainability
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, City Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from City Planning.	

July 3, 2019
KG/

- Appendix A Property Location
- Appendix B Images
- Appendix C Drawings

Appendix A – Location

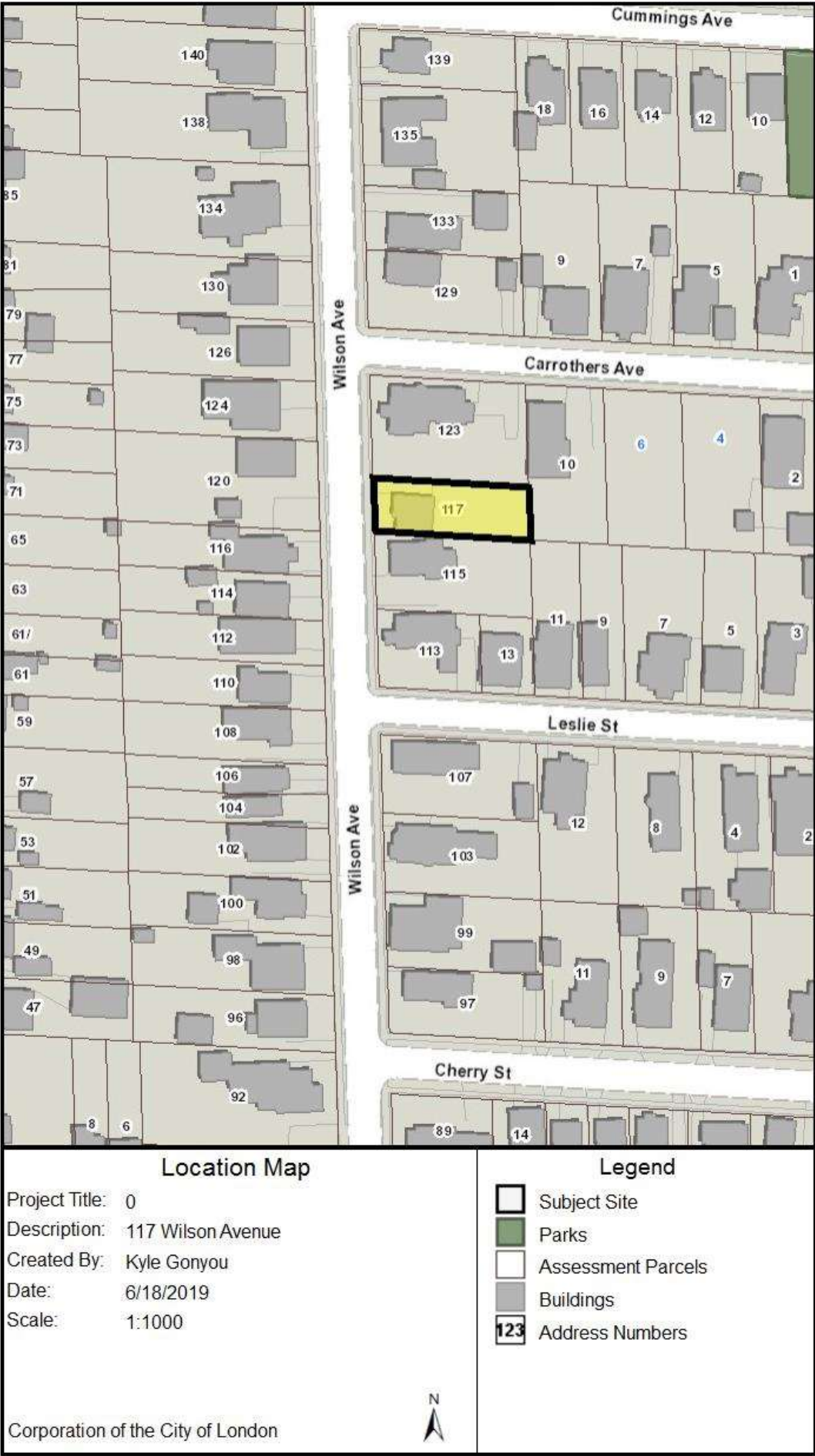


Figure 1: Property location of 117 Wilson Avenue.

Appendix B – Images



Image 1: Property at 117 Wilson Avenue in June 2014 (courtesy Google).



Image 2: Property at 117 Wilson Avenue in September 2015, at the time of the designation of the property under Part V of the Ontario Heritage Act (courtesy Google).



Image 3: Property at 117 Wilson Avenue in June 2016 (courtesy Google).



Image 4: Property at 117 Wilson Street with visual evidence of unapproved alterations underway on July 12, 2018.



Image 5: Detail of the replacement deck at 117 Wilson Avenue in July 2018 (courtesy P. Vivyurka, City of London). Note that the building has not yet been re-clad and the original door remains.



Image 6: Property at 117 Wilson Avenue with unapproved alterations underway on August 15, 2018.



Image 7: Photograph of the property at 117 Wilson Avenue in March 2019 (courtesy P. Vivyurka, City of London).



Image 8: Property at 117 Wilson Avenue on January 25, 2019.



Image 9: Property at 117 Wilson Avenue on April 17, 2019.

Appendix C – Drawings

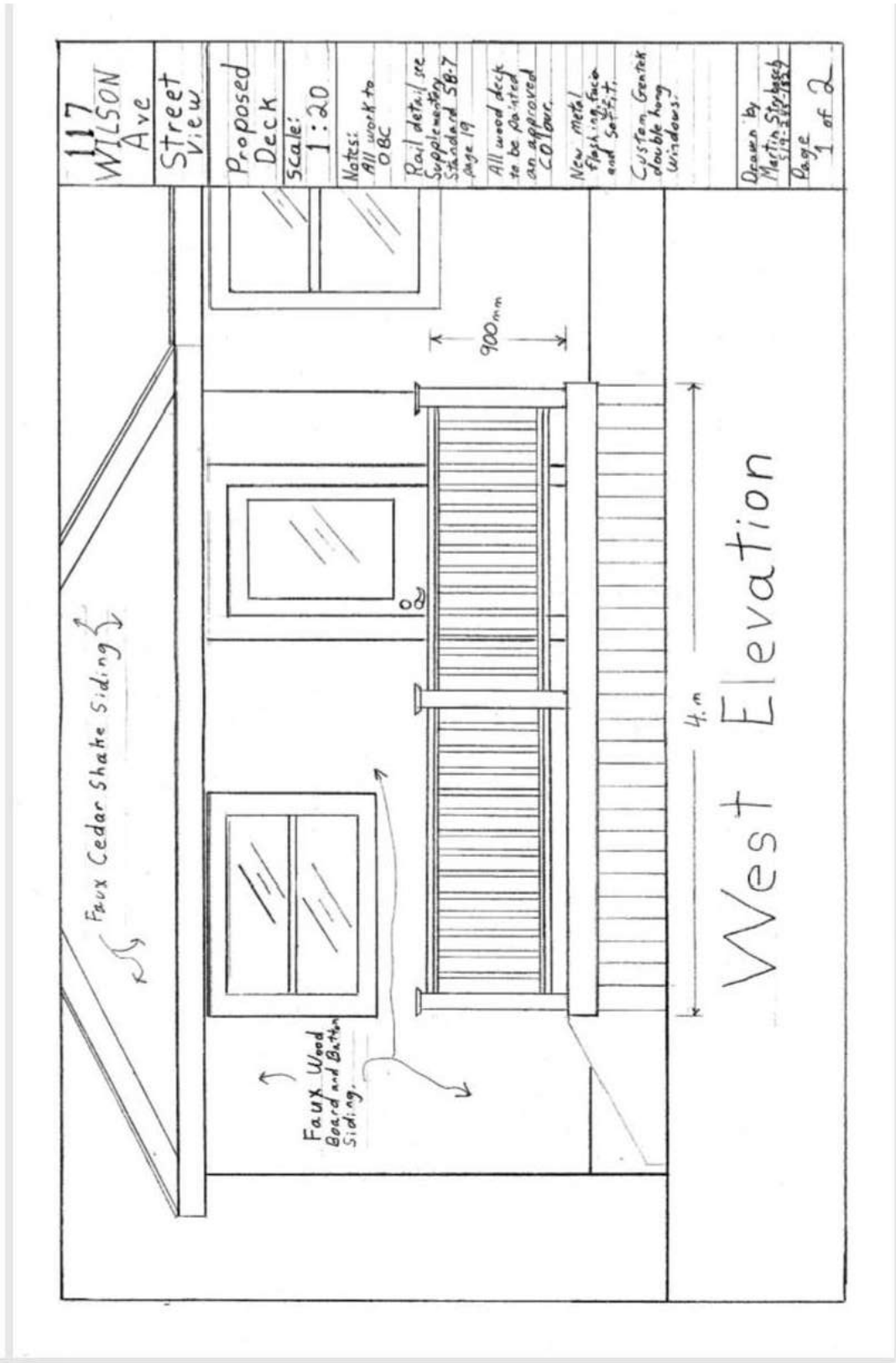


Figure 2: Sketch submitted as part of Heritage Alteration Permit application showing the west elevation of the building with the porch and showing the proposed replacement railing for the porch.

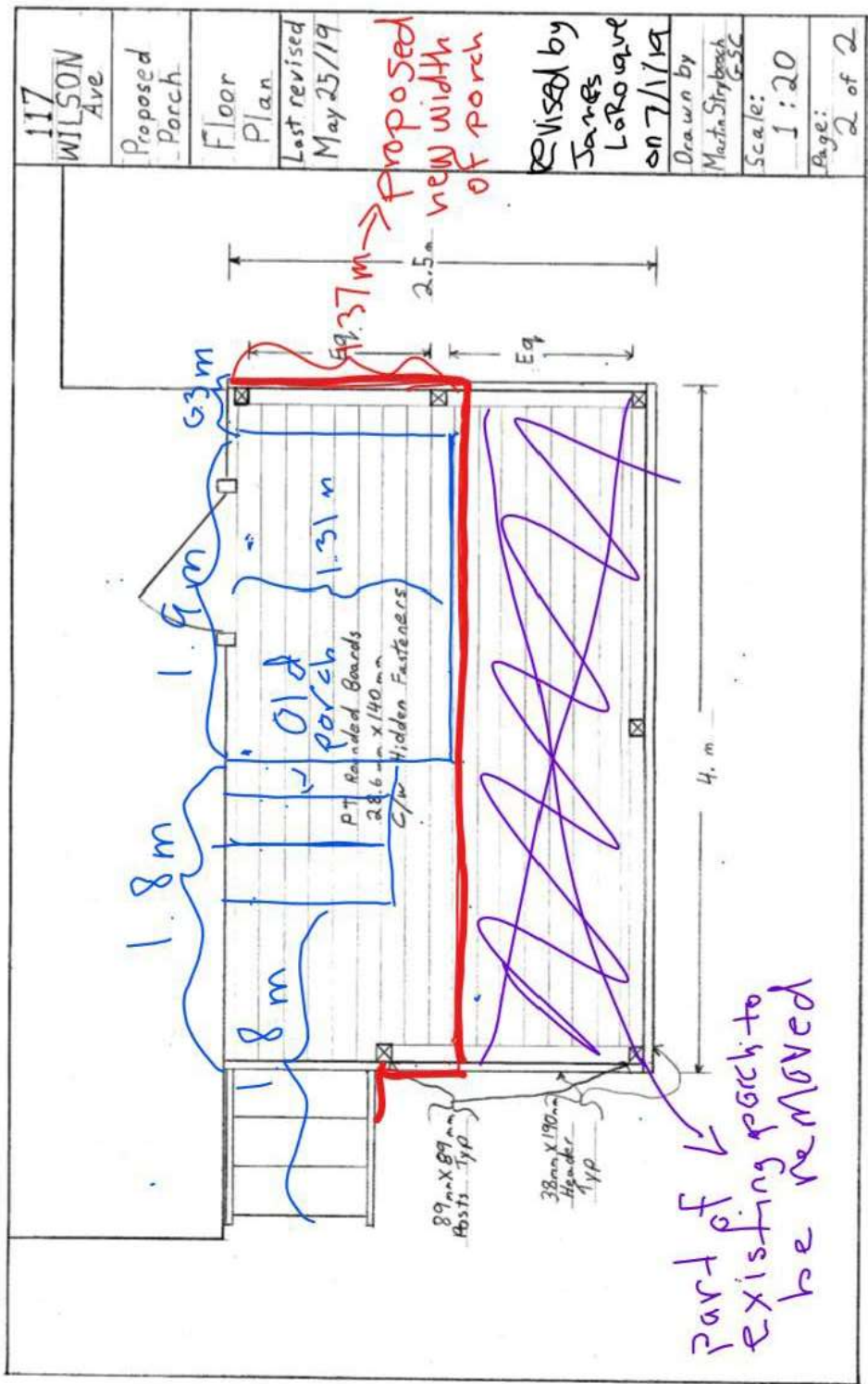


Figure 3: Revised sketch submitted as part of Heritage Alteration Permit application on July 1, 2019 showing proposed alterations to the existing deck to reduce the width of the porch. Noted: the dimensions of the existing deck and original porch are included.



Figure 4: Proposed door, with a plain glass lite, submitted as part of the Heritage Alteration Permit application.