

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 P. & P. Cameron at
**40 Craig Street, Wortley Village-Old South Heritage
 Conservation District**

Meeting on: Wednesday September 11, 2019

Recommendation

That, on the recommendation of the Managing Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to property at 40 Craig Street, within the Wortley Village-Old South Heritage Conservation District, **BE PERMITTED** with the terms and conditions:

- a) The vinyl siding cladding the front gables be removed within 1 year and the painted wood shingle imbrication be retained and restored;
- b) Only painted wood be used for the alterations to the porch, including but not limited to the hand railings on the steps, the steps, and the porch skirt;
- c) All exposed wood be painted;
- d) The Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; and,
- e) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Executive Summary

The property at 40 Craig Street contributes to the heritage character of the Wortley Village-Old South Heritage Conservation District. Despite consulting with a Heritage Planner, unapproved alterations were made to the property on August 7, 2019 resulting in a complaint and enforcement action. A Heritage Alteration Permit application seeking retroactive approval for cladding the wood shingle imbrication in the gable with vinyl siding along with alterations to the porch, was received on August 12, 2019. The cladding of the wood shingle imbrication in the gable with vinyl siding does not comply with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan* and must be removed. Supporting the covering of wood shingles with faux, vinyl shingles could set a negative precedence contrary to the goals and objectives of the *Wortley Village-Old South Heritage Conservation District Plan*. The proposed alterations to the porch are generally compliance with the policies and guidelines in the *Wortley Village-Old South Heritage Conservation District Plan* and should be permitted with terms and conditions.

Analysis

1.0 Background

1.1 Location

The property at 40 Craig Street is located on the south side of Craig Street between Ridout Street South and Wortley Road (Appendix A).

1.2 Cultural Heritage Status

The property at 40 Craig Street is located within the Wortley Village-Old South Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* on June 1, 2015. The property at 40 Craig Street is a C-rated property as identified by the *Wortley Village-Old South Heritage Conservation District*, meaning that

contributes to the heritage character of the Wortley Village-Old South Heritage Conservation District.

1.3 Description

The existing house at 40 Craig Street was built in 1914. It demonstrates typical elements of the transitional Edwardian architectural style of the time. By this time period, this style of building was more often constructed in red brick, however the existing building at 40 Craig Street is clad in buff brick that characterizes many of London's cultural heritage resources.

The existing building is two-and-a-half storeys in height with a generally rectangular footprint with a rusticated concrete block foundation. A verandah spans the front façade of the building with square posts set on cast concrete block plinths which terminate at the porch's deck, a traditional wood railing with square spindles, wood steps with a railing on one side (not matching the railing of the verandah), and a porch skirt with a cut-out detail. The hipped roof has a front gable, clad in painted wood shingle imbrication with a window. The same painted wood shingle imbrication is found on the pediment of the verandah. The windows are not historic, but retain the stone sills and lintels. There is a historic-style screen door and door providing entry to the house. The house at 40 Craig Street has been converted into multiple units and currently has a residential rental license for four units.

The house at 40 Craig Street is a mirror image of its "sibling" property at 38 Craig Street with the two properties sharing a driveway.

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."

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 make a decision on the Heritage Alteration Permit application within 90 days or the request is deemed permitted (Section 42(4), *Ontario Heritage Act*).

2.2.1 Contravention of the Ontario Heritage Act

Pursuant to Section 69(1) of the *Ontario Heritage Act*, failure to comply with any order, direction, or other requirement made under the *Ontario Heritage Act* or contravention of the *Ontario Heritage Act* or its regulations, can result in the laying of charges and fines up to \$50,000.

When the amendments to the *Ontario Heritage Act* in Bill 108 are proclaimed in force and effect, the maximum fine for the demolition or removing a building, structure, or heritage attribute in contravention of Section 42 of the *Ontario Heritage Act* will be increased to \$1,000,000 for a corporation.

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:

1. *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.*
2. *The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area.*
3. *Regard shall be had at all times to the guidelines and intent of the heritage conservation district plan.*

Policy 13.3.6 of the *Official Plan* (1989, as amended) includes similar language and policy intent.

2.3 Wortley Village-Old South Heritage Conservation District

The Wortley Village-Old South Heritage Conservation District was designated pursuant to Part V of the *Ontario Heritage Act* to protect its heritage character. Its protection, goals and objectives, policies, and guidelines have been developed as part of the *Wortley Village-Old South Heritage Conservation District Plan*. Many heritage attributes are identified within the Statement of Cultural Heritage Value or Interest for the Wortley Village-Old South Heritage Conservation District, supporting its architectural character including building materials, forms, and details.

One of the goals of the designation of Wortley Village-Old South as a Heritage Conservation District is to “avoid the destruction and/or inappropriate alteration of the existing building stock, materials and details” (Section 3.1.2, *Wortley Village-Old South Heritage Conservation District Plan*). This is achieved by:

- *Establishing policies and design guidelines to ensure new development and alterations are sensitive to the heritage attributes and details of the HCD and are based in appropriate research and examination of archival and/or contextual information;*
- *Strongly discourage the demolition of cultural heritage resources and the removal or alteration of heritage attributes;*
- *Encouraging individual property owners to understand the broader context of heritage conservation, and recognize that buildings should outlive their individual owners and each owner or tenant should consider themselves as the stewards of the building for future owners and users;*
- *Encouraging sensitive conservation and restoration practices that make gentle and reversible changes, when necessary, to significant cultural heritage resources;*
- *Encouraging improvements or renovations to “modern era” resources that are complementary to, or will enhance, the HCD’s overall cultural heritage value and streetscape; and,*
- *Providing homeowners with conservation and maintenance guidelines and best practices so that appropriate conservation activities are undertaken.*

Design guidelines are included in Section 8.3.1 of the *Wortley Village-Old South Heritage Conservation District Plan*. Applicable guidelines include:

- d) *Avoid “new” materials and methods of construction if the original is still available. In some cases, after careful research, substitute materials may perform better than original materials, but beware of using materials that have not been tested for years in a similar application.*
- e) *Conserve; retain and restore heritage attributes wherever possible rather than replacing them, particularly for features such as windows, doors, porches and decorative trim.*
- h) *Avoid concealing or irreversibly altering heritage attributes of property, such as entrances, windows, doors and decorative details when undertaking alterations.*

Material -specific guidelines are found in Section 9 of the *Wortley Village-Old South Heritage Conservation District Plan*. Guidelines regarding wood siding are found in Section 9.4.5, which state (abridged):

- Preserve as much as possible of the original material when undertaking repairs.
- Damaged siding should be removed and replaced with similar material. Avoid covering any original material with layer(s) of new material.
- Avoid any new siding that is simply attached over top of the original as many of the trim details and corner details of the original will be lost underneath or recessed behind the new skin.
- Natural wood siding can be acquired and milled to profiles identical to the original profile and nailed in place and painted or stained to replicate the original appearance. This is the optimum solution where feasible.
- Vinyl and aluminum siding are not recommended to cover or replaced original wood siding. Fiber cement board, while less preferable than wood siding, is more preferable than aluminum and vinyl materials.

Guidelines for porches, found in Section 9.5 of the *Wortley Village-Old South Heritage Conservation District Plan* are (abridged):

- Removal or substantial alteration to the size, shape and design of existing porches is strongly discouraged;
- Do not remove or cover original porches or porch details, except for the purposes of quality restorations.
- When restoring a porch that is either intact or completely demolished, some research should be undertaken to determine the original design which may have been much different from its current condition and decide whether to restore the original.
- For structural elements of the porch, use the best of current technology including secure footings extending below frost and pressure treated wood for wood framing.
- For decorative elements such as gingerbread fretwork and other trim, wood is still the best choice to recreate the original appearance, but using improved technology such as waterproof glue and biscuit joiners and liquid preservatives and best quality paints to protect the finished product.
- Fiberglass and plastic versions of decorative trim should be avoided. Poor interpretations of the scale or design of applied decoration detracts from the visual appearance and architectural coherence of porches and verandahs.
- Install and maintain a porch apron on all exterior sides below the porch floor.

3.0 Heritage Alteration Permit Application

The property owners previously consulted with a Heritage Planner in April 2019 regarding potential alterations to the property at 40 Craig Street and the requirements to obtain Heritage Alteration Permit approval. However, a complete Heritage Alteration Permit application was not received.

A complaint from the community brought unapproved alterations underway to the property at 40 Craig Street to the attention of the City on August 7, 2019. Compliance action ensued.

The Heritage Alteration Permit application was submitted by the property owners and received on August 12, 2019. The property owners have applied for a Heritage Alteration Permit seeking:

- Retroactive approval for the cladding of the gables in vinyl siding with a faux scalloped shingle appearance;
- Replace the existing steel and aluminum eaves troughs, soffit, and fascia with brown aluminum; and,
- Replace the porch decking (1¼" wood tongue and groove), 1" square lattice skirt, step hand rails on both sides with new wood to match the verandah railings/guard.

The property owners indicated that the wood shingle imbrication was in poor condition with rot and allowed vermin to enter the building. Wire mesh was previously applied to the gable to prevent vermin from entering the building, but the property owner advised

that it was not successful. The property owners indicated that lower portion of the wood shingles were removed and the remainder covered with vinyl siding.

As the alterations have commenced prior to obtaining Heritage Alteration Permit approval, this Heritage Alteration Permit application has met the conditions for referral requiring consultation with the London Advisory Committee on Heritage (LACH).

Per Section 42(4) of the *Ontario Heritage Act*, Municipal Council must make a decision on this Heritage Alteration Permit application by November 6, 2019 or the request is deemed permitted.

4.0 Analysis

4.1 Gable Cladding

A brief survey of gables on Craig Street in the Wortley Village-Old South Heritage Conservation District was undertaken by the Heritage Planner following the presentation of information from the property owner identifying other vinyl cladding in the gables of properties on Craig Street. There are thirty-seven properties on Craig Street, with fourteen (14) properties identified as applicable comparisons. Of those, three (3) have vinyl scalloped siding (including the subject property at 40 Craig Street), two (2) are clad in a composite/unidentifiable material, one (1) has siding, and eight (8) maintain their painted wood shingles (Appendix C). Both of the other examples of the vinyl scalloped siding were installed prior to the respective property's designation as part of the Wortley Village-Old South Heritage Conservation District in 2015. Wood is the most prevalent, characteristic, and historically appropriate cladding material for gables on Craig Street in the Wortley Village-Old South Heritage Conservation District.

The existing cladding of the gable of the building at 40 Craig Street with vinyl siding does not comply with the policies or guidelines of the *Wortley Village-Old South Heritage Conservation District Plan*.

The cladding of the gables with vinyl siding is an inappropriate alteration, resulting in the destruction of the visual presence of the painted wood shingle imbrication which is considered to be a heritage attribute. The re-cladding of the wood shingles in the gable with vinyl is inappropriate and contrary to the objectives of the Buildings goal in Section 3.1.2 of the *Wortley Village-Old South Heritage Conservation District Plan*.

The cladding of the gables with vinyl siding does not conform to the principles for heritage conservation found within Section 3.2 of the *Wortley Village-Old South Heritage Conservation District Plan*. The alterations did not comply with Section 3.2.5 (Conserve Original Decoration and Fittings) or Section 3.2.2 (Maintain and Repair). Regarding the conservation of original decoration and fittings, it specifically states, *Avoid removing or updating the style of these features or replacing them with poor reproductions of the originals.*

The vinyl siding with a faux scalloped shingle finish is, at best, a poor reproduction of historically authentic painted wood shingles.

The cladding of the gables with vinyl siding does not comply with the design guidelines for alterations found in Section 8.3.1.1 of the *Wortley Village-Old South Heritage Conservation District Plan*. The use of vinyl siding introduces a "new" material, when historically appropriate wood shingles are still available to repair the existing wood shingle imbrication. The vinyl siding does not accurately replicate the profile or details of the painted wood shingle imbrication. Section 8.3.1.1.e supports the repair and retention of heritage attributes, rather than replacing them. This direction was not achieved as the wood shingle imbrication was covered in vinyl siding. Further, decorative details (like the wood shingle imbrication) should not be concealed per Section 8.3.1.1.h.

In addition to not comply with the policies and design guidelines of the *Wortley Village-Old South Heritage Conservation District*, the approach taken in covering the original painted wood shingle imbrication of the property at 40 Craig Street introduces several

conservation challenges. The guidelines of Section 9.4.5 of the *Wortley Village-Old South Heritage Conservation District Plan* are intended to support the conservation and maintenance of original materials and highlight where alterations can adversely affect these heritage attributes. These guidelines support the preservation of the original materials when undertaking repairs and, when required, remove damaged siding and replace with similar material, and avoid covering any original material with layer(s) of new materials. Approaches which simply covers the original material with a new material will cover and obscure trim and corner details, in particular, of the original material. Covering rotten portions of wood with vinyl can often exacerbate any rot or deterioration-related issues in wood, perpetuating the issue which may have initially prompted the re-cladding. Vinyl is not recommended to cover or replace original wood siding.

Supporting the retroactive Heritage Alteration Permit application seeking approval for the cladding of the original painted wood shingle imbrication could establish a negative precedence and put the other original wood shingle gables at risk of inappropriate alteration when the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan* direct the preservation and restoration of original wood detailing.

In order to comply with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District*, the existing vinyl siding with faux scalloped shingles must be removed and the original painted wood shingle imbrication retained and restored.

Failure to remove the vinyl siding applied to the gable within 1 year may result in the City being forced to pursue charges under Section 69(1) of the *Ontario Heritage Act*.

4.2 Verandah Alterations

The proposed alterations to the verandah of the house at 40 Craig Street generally comply with the guidelines of Sections 8.3 and 9.5 of the *Wortley Village-Old South Heritage Conservation District Plan*. The proposed alterations use traditional materials (painted wood) in compliance with the guidelines of Section 8.3.1.1.d and proposes alterations in a manner that are compatible with the heritage character of the property. For example, in the replacement of the hand rails of the steps, the railing/guard style of the verandah will be used. This approach complies with the guidelines of Section 8.3.1.1.g.

It would be preferable to retain the existing wood porch skirt with its cut out detailing, however the property owner has identified it as a rotten element of the building. Upon further discussion with the property owners, they clarified their proposal to use a vinyl product for the porch skirt. This should not be permitted as it would not comply with Section 8.3.1.1.d of the *Wortley Village-Old South Heritage Conservation District Plan*. Painted wood should be used for the porch skirt. The proposed replacement of the cut detail of the porch skirt with a 1" square lattice is not encouraged, but not anticipated to result in an adverse impact to the heritage character of the property at 40 Craig Street provided that its material is painted wood. Both lattice and cut boards are historically relevant and appropriate porch skirt styles, provided that is painted wood.

5.0 Conclusion

The cladding of the gables of the building at 40 Craig Street with vinyl siding covered the original painted wood shingle imbrication. This alteration does not comply with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan* and should be removed, and the original painted wood shingle imbrication retained and restored.

The proposed alterations to the porch are generally compliant with the policies and guidelines of Sections 8.3 and 9.5 of the *Wortley Village-Old South Heritage Conservation District Plan* and should be permitted with term and conditions to ensure compliance.

Prepared by:	Kyle Gonyou, CAHP Heritage Planner
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 Planning Services	

September 4, 2019

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Appendix A Property Location
Appendix B Property Photographs
Appendix C Gables on Craig Street

Appendix A – Location

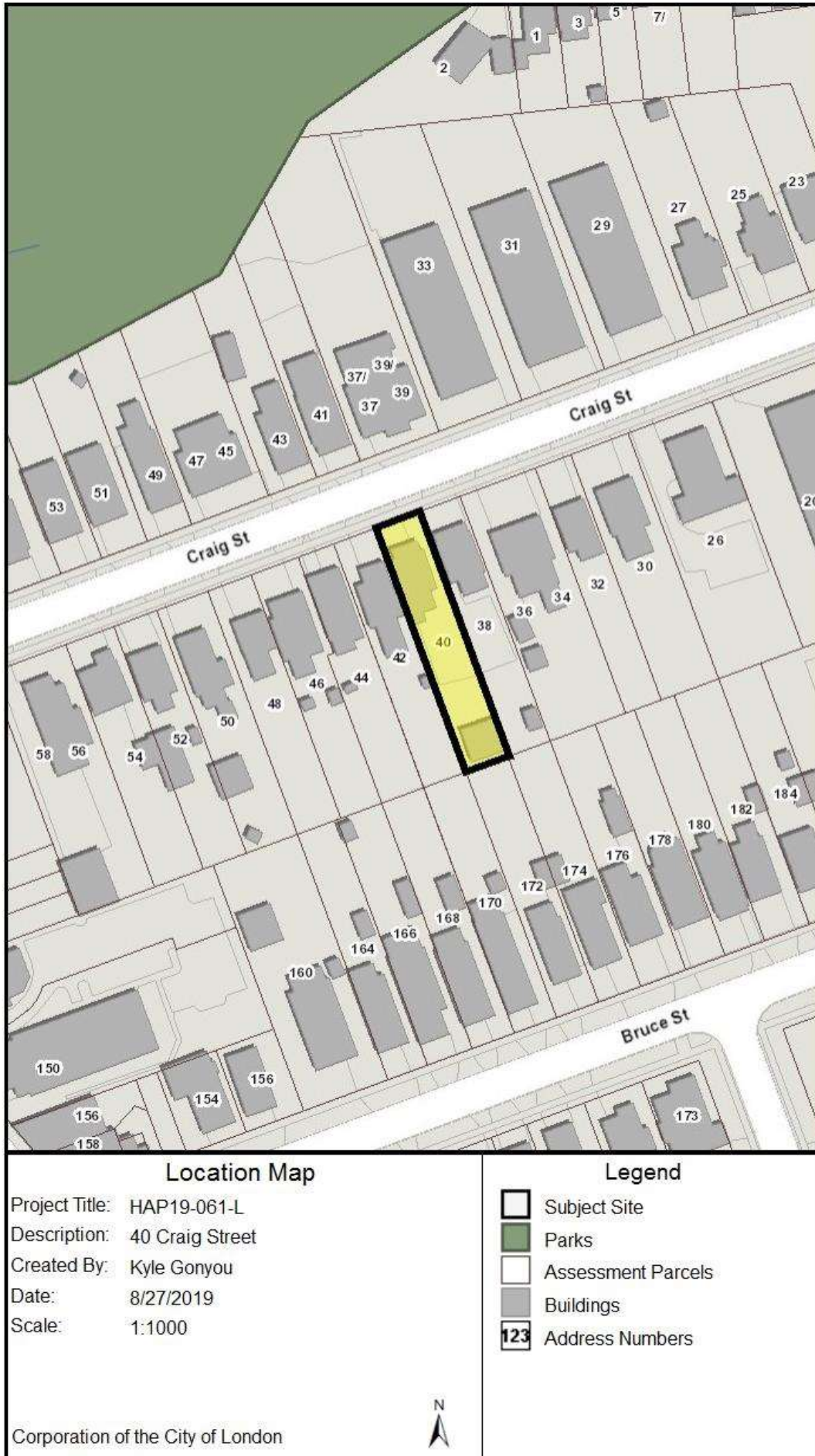


Figure 1: Location of the subject property at 40 Craig Street in the Wortley Village-Old South Heritage Conservation District.

Appendix B – Images



Image 1: Photograph of the property at 40 Craig Street on January 17, 2019.



Image 2: Photograph of the property at 40 Craig Street on January 17, 2019. Note the painted wood shingle imbrication in the gable.



Image 3: Photograph of the property at 40 Craig Street on January 17, 2019.



Image 4: Photograph showing unapproved alterations underway at 40 Craig Street on August 7, 2019.



Image 5: Detail photograph of the gable of the building at 40 Craig Street with the vinyl scalloped shingles.



Image 6: Detail photograph of the existing conditions of the front steps of the building at 40 Craig Street.



Image 7: Detail photograph of the existing conditions of the front steps and porch skirt of the building at 40 Craig Street.

Appendix C – Gables on Craig Street

Properties with Wood Shingles in Gables



Image 8: The dwelling at 16 Craig Street featured painted wood shingles in its east gable and slate in its west gable.



Image 9: The dwelling at 25 Craig Street features painted wood shingles in its front gable.



Image 10: The dwelling at 27 Craig Street features painted wood shingles in its front gable (pictured) and east gable (not pictured).



Image 11: The semi-detached dwelling at 34-36 Craig Street featured painted wood shingles in both of its front gables.



Image 12: The dwelling at 38 Craig Street features painted wood shingles in its front gable.



Image 13: The dwelling at 41 Craig Street features painted wood shingles in both of its front gables, along with carved details painted in contrasting colours.



Image 14: The dwelling at 43 Craig Street features painted wood shingles in both of its front gables, along with carved details painted in contrasting colours.



Image 15: The front dormer of the dwelling at 52 Craig Street is clad in painted wood shingles.

Properties with Composite/Unidentified Material in Gables



Image 16: The upper storey, including turret and gable, of the dwelling at 18 Craig Street are clad in siding (unidentified).



Image 17: The semi-detached buildings at 37-39 Craig Street are clad in a composite/unidentified shingle material with a painted finish. This building was clad with this material prior to the property's designation as part of the Wortley Village-Old South Heritage Conservation District in 2015.



Image 18: The building, including its front gable, at 42 Craig Street is clad in a composite/unidentified shingle material with a painted finish, which was installed prior to the property's designation as part of the Wortley Village-Old South Heritage Conservation District in 2015.

Properties with Vinyl Scalloped Siding/Faux in Gables



Image 19: The building at 23 Craig Street with vinyl scalloped siding in the gable, which was installed prior to the designation of Wortley Village-Old South as a Heritage Conservation District in 2015.



Image 20: The subject property at 40 Craig Street, with the vinyl scalloped shingling installed without Heritage Alteration Permit approval.



Image 21: The front gable of the building at 49 Craig Street is clad in vinyl scalloped siding, which was installed prior to the property's designation as part of the Wortley Village-Old South Heritage Conservation District.