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D. Menard

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE MEETING ON FEBRUARY 5, 2013: 5:00 P.M.
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	INFORMATION REPORT RE: HERITAGE ALTERATION / DEMOLITION REPORT 591 MAITLAND STREET

RECOMMENDATION

That, on the recommendation of the Managing Director, Land Use Planning and City Planner, with the advice of the heritage planner, The Chief Building Official **BE ADVISED** that the demolition permit applied for the structure at 591 Maitland Street **BE APPROVED** subject to the following conditions:

1. That, prior to the issuance of a demolition permit for the existing building, professional architectural drawings for a new structure on this site be provided and approved for a building permit by the Building Division;
2. That such drawings be consistent with the following criteria to the satisfaction of the City Planner:
 - i) replication of the general appearance and form of the front façade of the existing building,
 - ii) maintenance of the scale and form of the structure at the street to the depth of a single room, with the opportunity for an addition of a greater scale at a further depth into the site,
 - iii) provision of a full front porch with a front yard building setback consistent with that currently existing,
 - iv) that consistency of the building with the Conservation Guidelines contained within the West provided in the West Woodfield Heritage Conservation District Plan.

It being noted that final Council consideration of the request for demolition of the existing structure at the site is pending and that a recommendation from the January 09 LACH meeting has stated its opposition to the demolition of the existing building.

It being further noted that the recommendations with respect to a proposed new building are not consistent with the direction expressed on this matter by Municipal Council at its meeting on November 20, 2013.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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2012 November 5 –Report to Planning and Environment Committee –**Request for Demolition of 591 Maitland Street**

2013 January 09 – Report to the LACH – **Heritage Alteration Application for 591 Maitland Street**

2013 January 22- **Verbal Report to Planning and Environment Committee** re 591 Maitland Street

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BACKGROUND

The existing residence at 591 Maitland Street is a one and one half storey building located on the west side of Maitland Street roughly mid-block between Princess Avenue and Central Avenue. It is designated under Section 41 (Part V) of the *Ontario Heritage Act* by virtue of its location in the West Woodfield Heritage Conservation District established in 2009. The building is identified as a Category C structure in the Study prepared to create the District. 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 had been received in September. In a previous report in November, 2012, Planning Staff had recommended against the demolition of the structure at 591 Maitland on the basis of the Conservation Guidelines for the West Woodfield Heritage Conservation District. Those Guidelines strongly discourage demolition except for specific situations such as structural failure, catastrophic damage or specific municipal policies. It was the opinion of Staff that none of these criteria applied to the demolition request.

The application for demolition produced a strong response. The Advisory Committee on Heritage recommended against the demolition at its meeting in October, 2012. At the Planning and Environment Committee meeting on November 5, communications were received from 21 respondents and oral submissions were made by seven individuals at the PEC meeting.

At its meeting on November 20, municipal Council resolved:

18. That, notwithstanding the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner and the London Advisory Committee on Heritage, the request by J. Regehr and Renee Kaplansky for the demolition of the designated residential building at 591 Maitland Street BE DEFERRED for up to 90 days to allow the applicant to work on a new design, in consultation with the Civic Administration and the Woodfield Community Association, that is more compatible to the neighbourhood, which would incorporate a suitable addition, while maintaining the front of the building; it being noted that the applicant agreed to the postponement of the application; it being noted that the applicant will report back to the London Advisory Committee on Heritage and the Planning and Environment Committee as quickly as possible with a revised design.”

In early January, the applicants provided a new concept drawing proposing a new building on the site. The concept contained a variety of details which confirmed to the Guidelines for new buildings in the West Woodfield Heritage Conservation District. It did not, though, conform to the Council direction of November 20 in that it did not retain the front of the existing building.

Nevertheless, staff presented the concept drawing to the LACH at its meeting in January 09 in the form of a heritage alteration application. In that report, staff recommended that the drawing be the basis for an approved alteration permit with several conditions attached to ensure that a final building would retain the elements described.

At the LACH meeting on January 09, delegations included both the applicants and a spokesperson from the Woodfield Community Association. Following its discussion the LACH recommended:

- a) *The Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) does not support the recommendations outlined in the Report of the Director of Land Use Planning and City Planner, dated January 9, 2013, for the following reasons:*
 - i) *The recommendation does not comply with the Municipal Council resolution adopted at its meeting held on November 30, 2012, which states, “ ...BE*

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DEFERRED for up to 90 days to allow the applicant to work on a new design, in consultation with the Civic Administration and the Woodfield Community Association...” and,

ii) at this time, no consultation has taken place between the Woodfield Community Association and the applicants;

b) The Civic Administration **BE ADVISED** that the LACH continues to reject the proposed demolition of the existing building;

Following the January LACH meeting, staff assisted in arranging a meeting between the applicants and two members of the executive of the Woodfield Community Association on Thursday, January 17. At this meeting both parties outlined their respective positions. In the course of the discussion there was an apparent willingness to reach a compromise position, the basis of which would see a new home built on the site but one that would feature a front portion similar in size and architectural detailing to what is there at present. In a subsequent visit to the site, on Saturday, January 19, with the heritage planner present, the compromise view continued to be expressed as an achievable outcome by both parties. The applicants indicated they would develop a new drawing to incorporate a storey and one half feature at the front of the proposed new residence which would extend approximately the depth of the existing front room (about 10 feet) to which a full front porch would be added retaining the current street setback. Beyond the new front portion of the residence, a new two storey addition would complete the home. The members of the Association indicated they would take this proposal back to their Association for further review and comment.

It should be noted that the consensus that seemed to be reached does not match the direction provided in the Council resolution in terms of retaining the actual front portion of the building but alludes to it with respect to acknowledging the retention of the appearance of the original in terms of the streetscape. Further, the proposed new residence would require at least one minor variance with respect to the side yard setback.

At the PEC meeting on January 22, 2013, when the LACH recommendations of January 9 came forward, the Chair of the LACH, Mr. Goodlet requested that discussion of the LACH recommendations be referred to the PEC meeting of February 5 when more information would be available from each parties and when the parties themselves could be present with delegation status.

At the time of the preparation of this report, a revised drawing(s) has (have) not been provided, nor has comment been received by staff from the Woodfield Community Association.

Demolition Issue

Since the Council deferral of the demolition request in November, the owners have obtained a revised Engineer’s assessment from the same consulting company that had provided an earlier report. (Appendix 2) With the removal of the tenant and his possessions, it now states that additional observations could be made with respect to the building’s condition. In particular, note is made of weaknesses in a support beam in the basement and to the presence of mould in the house. The engineer’s assessment now concludes with a recommendation that the building be demolished. Such a recommendation may strengthen the request for demolition on the basis of structural instability. This is one criterion that the Conservation Guidelines identifies that might justify the demolition of the building. Cost estimates for repairing the deteriorated structural members and for remediating the mould issue have not been provided but recommendations are made as to what is required to remediate some issues.

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Recommendations

As the property at 591 Maitland is designated under Section 41 of the Ontario Heritage Act its demolition or removal or its alteration must be approved by Council with the advice of its Heritage Advisory Committee. Council may approve a request for demolition, may approve it with conditions or may deny the request. Council has 90 days to respond to an application although that time period may be deferred with the consent of the owner, as is the case here.

Given the movement toward a compromise solution that appears to be present at the time this report was being prepared, should Council determine a demolition permit may be issued, staff recommend that the Council advise the Chief Building Official that the permit be issued subject to a number of conditions:

- i) That prior to the issuance of a demolition permit, measured architectural drawings be provided by the applicants that meet the requirements for a building permit. The building would be retained until a new building permit is issued.
- ii) That such drawings conform to details mentioned in this report with respect to a building which features a front portion similar to the existing building in terms of its size, scale, massing, setback and architectural details.
- iii) That such drawings conform to the Guidelines for new buildings as described in the Conservation guidelines for the West Woodfield Heritage Conservation District to the satisfaction of the Heritage Planner and the London Advisory Committee on Heritage noting that the LACH has not had an opportunity to discuss this since its meeting on January 9.

It is noted that these recommendations are not related to the specific intent of the Council Resolution of November 20 and are offered in the event that Council determines a demolition permit may be issued.

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

January 25, 2013

dm/

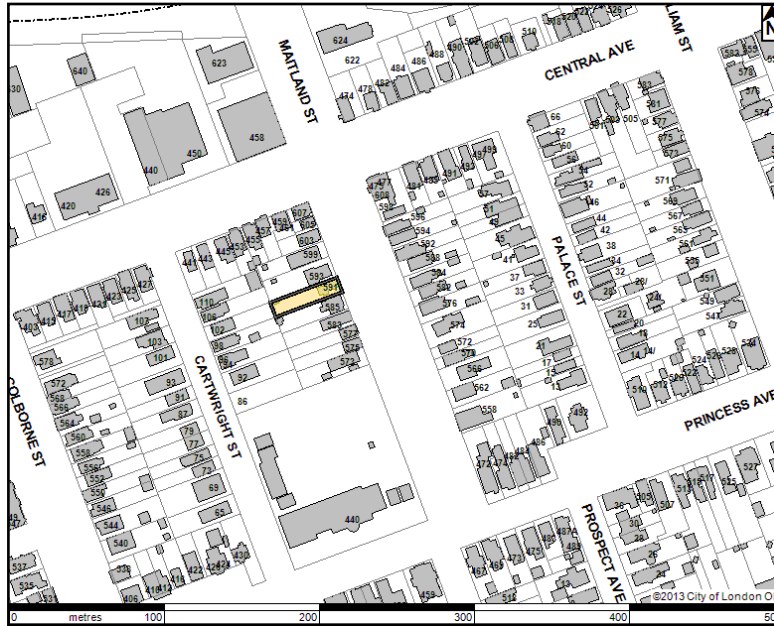
Attach: Appendix 1- Location Map; Appendix 2- Photos; Appendix 3 – Revised Engineer’s Assessment

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Appendix 1- Location Map -591 Maitland



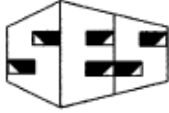
Appendix 2- Photos



Empty boxes for Agenda Item # and Page #

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Appendix 3 –Revised Engineer’s Assessment -591 Maitland Street



Santarelli Engineering Services

1464 Adelaide St. N., Suite 6, London, Ontario N5X 1K4 Tel: (519) 451-5530 Fax: (519) 451-4470

December 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 December 14, 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. The house was completely empty from furniture and possessions.
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 or 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.
10) One of the main wood beams in the basement is very soft and beginning to disintegrate in areas.
11) Some of the floor joists in the basement are beginning to pull away from the supporting wood beam that they are framing into.
12) There is mold present in the basement underneath the carpet. It is unclear as to whether the mold is present in any other areas, ie. the gypsum board.
13) The floor of the upper level has begun to sag in multiple directions. Areas on the main floor have begun to sag as well.

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 clips angles are to be attached directly to the wood framing members.

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