

Report to London Advisory Committee on Heritage

To: Chair and Members
London Advisory Committee on Heritage
From: Gregg Barrett, Director, City Planning and City Planner
Subject: Heritage Alteration Permit Application by Helene Golden at
 938 Lorne Avenue, Old East Heritage Conservation District
Meeting on: Wednesday February 12, 2020

Recommendation

That, on the recommendation of the Director, City Planning & City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval and approval for alterations to the property at 938 Lorne Avenue, within the Old East Heritage Conservation District, the following actions **BE TAKEN**:

- a) The retroactive approval for the porch alterations and the approval for the proposed porch alterations at 938 Lorne Avenue, within the Old East Heritage Conservation District, **BE PERMITTED** with terms and conditions:
 - a. All exposed wood be painted;
 - b. The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;
- b) The retroactive approval for the roofing material change at 938 Lorne Avenue, within the Old East Heritage Conservation District, **BE REFUSED**.

Executive Summary

The property at 938 Lorne Avenue contributes to the heritage character of the Old East Heritage Conservation District. 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). The recommended action is to retroactively permit the alterations to the porch, and to approve proposed future alterations to the porch. Provided that the appropriate materials and construction method is completed, the alterations should be permitted with terms and conditions. In addition, the recommended action is to refuse the alterations to the roof.

Analysis

1.0 Background

1.1 Location

The property at 938 Lorne Avenue is located on the north side of Lorne Avenue between Ontario Street and Quebec Street (Appendix A).

1.2 Cultural Heritage Status

The property at 938 Lorne Avenue is located within the Old East Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* in 2006. The property is noted as a B-ranked property within the HCD. B-ranked properties are described within the *Old East Heritage Conservation District Study* as being of importance to the HCD (Section 4.2).

1.3 Description

The existing dwelling at 938 Lorne Avenue was constructed in circa 1908 and is a 2 ½ storey vernacular dwelling with Queen Anne Revival influences and is reflective of its period of construction (Appendix B).

The existing dwelling at 906 Lorne Avenue was constructed in circa 1890, and is a 2 ½ storey buff brick vernacular dwelling with Queen Anne Revival influences and is reflective of its period of construction (Appendix B). The dwelling includes a hipped roof with a projecting front gable. The gable includes a paired window, as well as a concentration of wood detailing such as imbricated wood shingles, decorative brackets, and a highly decorated apex and set of bargeboards. The front verandah of the dwelling extends across the entire front elevation and consists of decorative turned posts and spindles, with a projecting gable above the front door. The verandah also includes a partially-completed set of spandrels that include an alternating beaded design.

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 Old East Heritage Conservation District

A number of goals and objectives have been established to provide a framework for the protection and preservation of the unique heritage features in the Old East Heritage Conservation District (*Old East Heritage Conservation District Conservation Plan*, Section 3.2). The porches in Old East are considered as significant to the appearance of the district as its gables and dormers (*Old East Heritage Conservation District Conservation and Design Guidelines*, Section 3.7). As a result, their contribution to the overall visual character of Old East, the design and detail of porches and verandahs on the fronts of houses should be considered a very high priority for the heritage district (*Old East Heritage Conservation District Conservation and Design Guidelines*, Section 3.7). Roofs and roof accessories are also noted as important component of heritage buildings, not only for their functional and protective characteristics, but also because the materials, slope, shape and design details frequently help define building style and age. In Old East, the most common shapes are gable and hipped roofs. Most of the houses in Old East London would originally have had wood shingles, probably cedar (*Old East Heritage Conservation District Conservation and Design Guidelines*, Section 3.3).

Section 4.3.1 of the *Old East Heritage Conservation and Design Guidelines* provides guidelines for porch alterations in Old East. The guidelines note that “alterations to porches should improve the structural conditions but not cause the loss of the original heritage character”. Porch alterations should be undertaken in a manner that utilizes appropriate materials, scale, and colour. In addition, the guidelines note that where known, the design of railings, spindles, and porch skirts should also reflect the original structure to the extent possible.

3.0 Heritage Alteration Permit Application

3.1 Heritage Alteration Permit

A complaint from the community about unapproved alterations to the roof of the property at 938 Lorne Avenue was brought to the attention of the City in October 2019. The Heritage Planner consulted with the property owner in November 2019, identifying alterations to heritage designated property that may require approval of a Heritage Alteration Permit including a change in roofing materials.

In consulting with the property owner, the Heritage Planner was advised of additional unapproved alterations to the property including porch alterations that were partially completed in 2019, as well as planned alterations for spring/summer of 2020.

A Heritage Alteration Permit application was submitted by the property owner and received on January 21, 2020. The property owner has applied for a Heritage Alteration Permit seeking:

- Retroactive approval for existing porch alterations, including replacement of porch footings, replacement and restoration of soffits, fascia, and rafters of verandah roof, restoration of decorative brackets, installation of two hanging porch lights, and replacement of the porch ceiling with wood, using a board-and-batten design;
- Approval for porch alterations including restoration of the beaded design pattern used for the spandrels on the porch, replacement of the guards and spindles, replacement of the concrete steps with wood steps, replacement of the metal railings on the steps with a wood railing systems, including the installation of a salvaged decorative turned post, addition of a wood sunburst design in the projecting gable of the verandah roof, re-decking of the front porch, replacement of the eavestroughs across the verandah roof, and replacement of the porch skirt with a wood board-and-batten design;
- Retroactive approval for the installation of the sheet metal roofing materials.

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 April 20, 2020.

4.0 Analysis

4.1 Recommended Practices and Design Guidelines

The *Old East Heritage Conservation District Plan* established the principles, goals and objectives for the Old East Heritage Conservation District including recommended policies and guidelines pertaining to major architectural, streetscape, and land use changes, and outlined the approval process for heritage work along with other implementation recommendations. The *Old East Heritage Conservation District Conservation and Design Guidelines* is intended to provide residents and property owners with additional guidance regarding appropriate conservation, restoration, alteration and maintenance activities and to assist municipal staff and council in reviewing, and making decisions on permit and development applications within the district.

Both documents provide a basis for the review of the alterations included within this Heritage Alteration Permit application. In general, the alterations included within this application follow a number recommended practices and design guidelines that are outlined in Section 4.2 (Alterations) of the *Old East Heritage Conservation District Plan*, discussed below in Section 4.2 (Porch Alterations) and Section 4.3 (Roof Material Replacement).

4.2 Porch Alterations

The review of the porch alterations included within this Heritage Alteration Permit application considers the direction outlined in Section 3.7 and Section 4.3.1. of the *Old East Heritage Conservation District Conservation and Design Guidelines* as well as the recommended practices and design guidelines that are outlined in Section 4.2 of the *Old East Heritage Conservation District Plan*.

As a part of the on-going maintenance of the dwelling on the property, the property owner has undertaken research related to the style and appearance of the building in order to complete appropriate conservation activities. In the absence of property-specific historical date, “forensic evidence” available from the building itself have been observed to suggest appropriate restoration. In addition, the property owner has consulted published historic design books including a reproduction of *The Victorian Design Book*, re-published with the endorsement of the Associations for Preservation Technology (*The Victorian Design Book*, 1984).

The porch alterations that were previously completed, and are included within this Heritage Alteration Permit application seeking retroactive approval were completed following the recommended practices and guidelines for the Old East Heritage Conservation District. The conservation work included repairing where possible, and replacement with wood materials where restoration was not feasible. High-quality wood materials were utilized in these conservation efforts.

The proposed porch alterations have also been based on research and recommended practices and guidelines for heritage conservation. In particular, when completing conservation work along the soffit and fascia of the verandah roof, it became evident to the owner that the beaded design spandrel located on the east and west sides of the porch also previously extended across the main façade of the verandah. As a result, the property owners intend to restore the spandrel design to its previous appearance. In addition, in reviewing similar properties within London and properties featured within *The Victorian Design Book*, it was observed that decorative spindles often match the design of the spandrels. Due to the deterioration of the spindles and guards/rails, the owner intend to replace the existing spindles with a design similar to the beaded design of the spandrels, and design a guardrail that is based on the historic profiles included within the *Victorian Design Book*. The proposed wooden replacement steps and handrails, along with the salvaged turned posts will be compatible with the heritage

character of the Old East Heritage Conservation District, as well as with the heritage attributes of this particular property.

4.3 Roof Material Replacement

The review of the roof alterations included within this Heritage Alteration Permit application considers the direction outlined in Section 3.3 (Roofs and Roof Accessories) of the *Old East Heritage Conservation District Conservation and Design Guidelines*. Roofs are noted as important components of heritage buildings, not only for their functional and protective characteristics, but also because the materials, slope, shape and design frequently help define building style and age (Section 3.3). Up to about 1925, the principle choices for roofing materials were primarily slate and wood shingles. To a lesser extent, clay tile or zinc shingles and metal roofing were used. Most of the houses in Old East would originally have had wood shingles, probably cedar, with a fewer number of more expensive installations of roofing slates.

Prior to the replacement of the roofing materials, the dwelling located at 938 Lorne Avenue included a hipped roof with projecting front gable that consisted of asphalt shingles that were installed on the building prior to the Old East Heritage Conservation District coming into force and effect in 2006. Information available in the *Fire Insurance Plan* (1912, revised 1922) identifies the historic roofing material of the dwelling as wood shingle (Appendix B) While wood shingle would be the ideal replacement roofing material, the wide spread acceptance of asphalt shingles provided a low cost, good quality roofing materials from about 1930 onwards. Shingle roofing continues to be the predominant form of roofing material on Lorne Avenue and elsewhere within the Old East Heritage Conservation District.

The *Old East Heritage Conservation District Conservation and Design Guidelines* recommends the use of slate and shingle roofs for dwellings within the district, consistent with the historic materials used on dwellings within the area. In recent years, a number of dwellings along Lorne Avenue have undergone a change in roofing materials resulting in the use of more modern metal roofing materials including the sheet metal that was installed on the dwelling at 938 Lorne Avenue in October 2019.

In January 2020, nine dwellings were observed with metal roofs on Lorne Avenue, including the subject property. Of these, two consist of sheet metal, and seven consist of modular steel sheet roof tile roofs. Although the roofing material changes have been undertaken, none of the roofs have received Heritage Alteration Permit approval.

Alternative roofing materials, including composite rubber products, sheet steel, and modular sheet steel roof tiles have gained popularity for use on heritage buildings within the last decade. The Heritage Alteration Permit application for 938 Lorne Avenue cited an effort by the property owner to undertake historic research for roofing materials which resulted in the identification of steel as a roofing material. While steel was historically used for roofing materials, the sheet metal roofing that was installed is a more modern alternative roofing material and is not in keeping with roofing materials that are compatible within the Old East Heritage Conservation District.

5.0 Conclusion

The previously completed alterations and the proposed alterations to the porch at 938 Lorne Avenue seek to be consistent with the Design Guidelines (Section 3.7 and Section 4.3.1) of the *Old East Heritage Conservation District Conservation and Design Guidelines*. The proposed design and materials are similar in design, scale, and materials to porch found elsewhere in Old East and will continue to contribute to the heritage character of the dwelling as well as the Old East Heritage Conservation District.

The previously completed roofing material alterations are not consistent with the Old East Heritage Conservation District Conservation and Design Guidelines.

The porch alterations for the Heritage Alteration Permit for 938 Lorne Avenue should be permitted with terms and conditions. The roof materials alterations for the Heritage Alteration Permit for 938 Lorne Avenue should not be permitted.

Prepared by:	Michael Greguol, CAHP Heritage Planner
Submitted and Recommended by:	Gregg Barrett, AICP 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.	

February 5, 2020
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Appendix A Property Location
Appendix B Images

Appendix A – Location

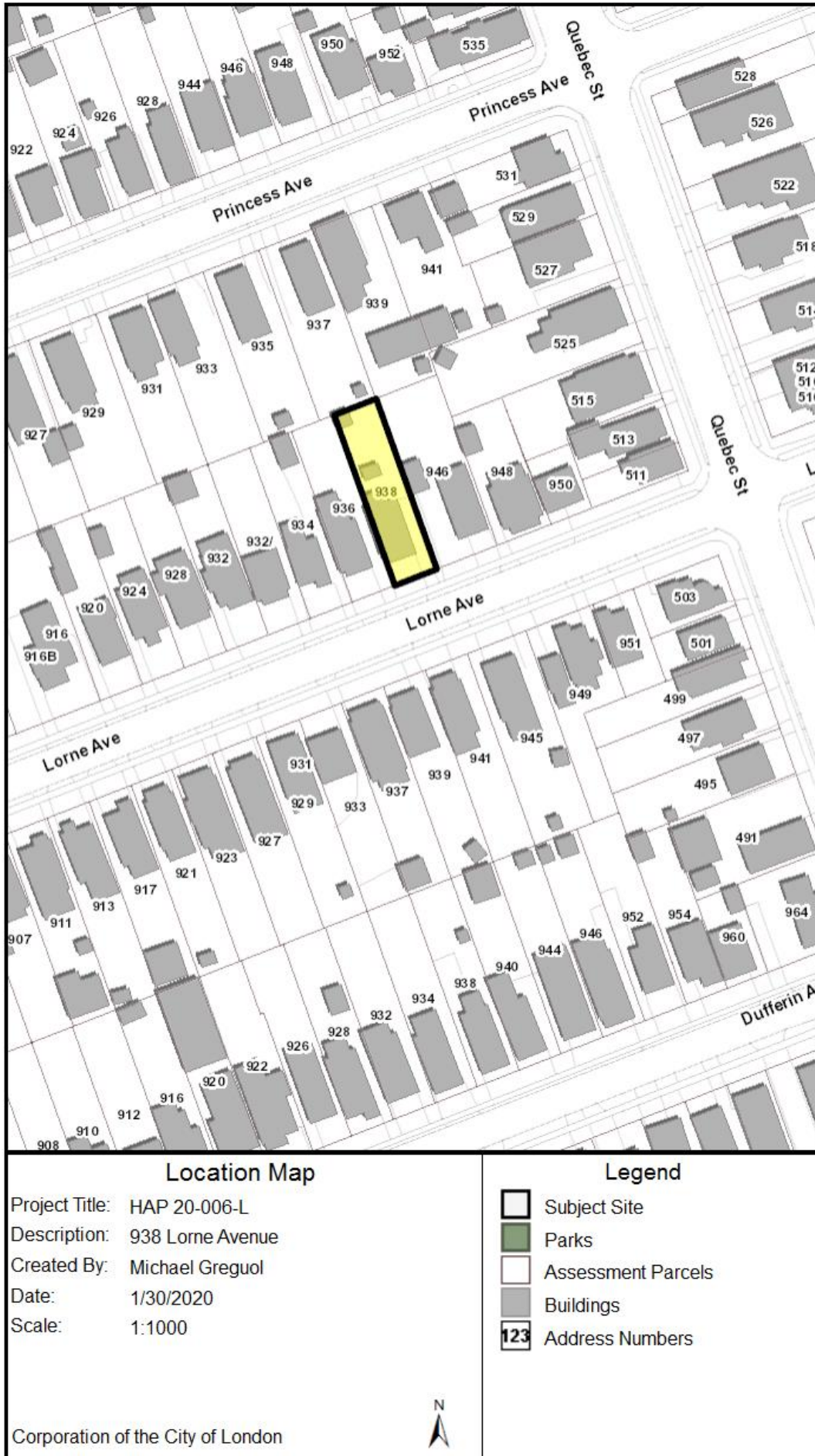


Figure 1: Location of the subject property at 938 Lorne Avenue in the Old East Heritage Conservation District.

Appendix B – Images



Image 1: Google streetview image of the dwelling at 938 Lorne Avenue showing asphalt roof in 2009



Image 2: Detail of projecting gable, and verandah roof submitted as a part of the Heritage Alteration Permit application for 938 Lorne Avenue



Image 3: Photograph showing unapproved roof material alterations being undertaken in October 2019



Image 4: Photograph showing 938 Lorne Avenue within its streetscape context, showing unapproved alterations being undertaken in October 2019



Image 5: Photograph submitted as a part of the Heritage Alteration Permit application showing unapproved alterations underway in October 2019



Image 6: Photograph submitted as a part of the Heritage Alteration Permit application for the roof and porch alterations at 938 Lorne Avenue



Image 7: Photograph submitted as a part of the Heritage Alteration Permit application for 938 Lorne Avenue showing detail of the porch design and existing spandrel details



Image 8: Photograph submitted as a part of the Heritage Alteration Permit application for 938 Lorne Avenue showing the alterations to the verandah ceiling and evidence of removed spandrels exposed during alterations to the porch



Image 9: Photograph submitted as a part of the Heritage Alteration Permit application for 938 Lorne Avenue showing porch light



Image 10: Photograph submitted as a part of the Heritage Alteration Permit application for 938 Lorne Avenue, showing salvaged turned post proposed for the porch steps at 938 Lorne Avenue



Image 11: Photograph showing the unapproved roof materials alterations completed, and existing status of porch in January 2020



Image 12: Photograph showing porch alterations completed to date, in January 2020



Image 13: Photograph showing unapproved sheet metal roofing material alteration at 825 Lorne Avenue in January 2020



Image 14: Photograph showing unapproved sheet metal roofing material alteration at 825 Lorne Avenue in January 2020



Image 15: Photograph showing unapproved roofing material alteration at 753 Lorne Avenue in November 2019



Image 16: Photograph showing unapproved roofing material alteration at 932 Lorne Avenue in November 2019



Image 17: Photograph showing unapproved roofing material alterations at 949 Lorne Avenue in January 2020

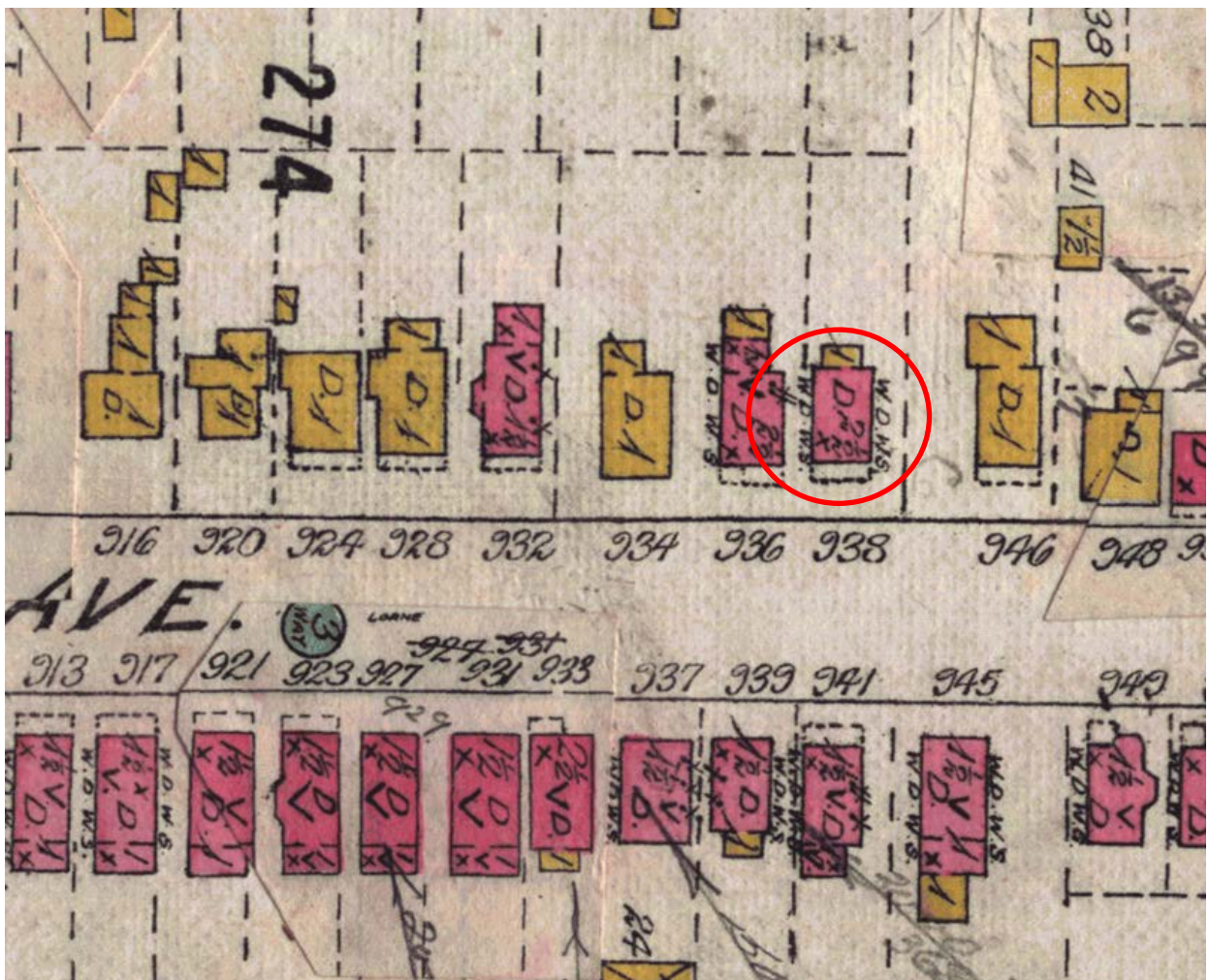


Image 18: Detail of 1912 revised 1915 Fire Insurance Plan showing the brick dwelling at 938 Lorne Avenue with a shingle roof