

## 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 B. Egan at 512 English Street  
**Meeting on:** Wednesday August 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 approval for the proposed alterations to the property at 512 English Street, within the Old East Heritage Conservation District, **BE PERMITTED** with terms and conditions:

- a) The voussoirs consist of salvaged buff brick that matches the brick of the dwelling
- b) The space in between the two windows be clad with salvaged buff brick;
- c) The sills of the new window openings consist of matching materials consistent with the remaining window openings on the dwelling; and
- d) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

### Executive Summary

The property at 512 English Street contributes to the heritage character of the Old East Heritage Conservation District. As the proposed alterations 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 permit the proposed window alterations to the west elevation including the addition of the two windows. Provided that the appropriate sills and voussoirs, and salvaged buff brick is used, the alterations should be permitted with terms and conditions.

### Analysis

#### 1.0 Background

##### 1.1 Location

The property at 512 English Street is located on the northeast corner of the intersection of English Street and Lorne Avenue (Appendix A).

##### 1.2 Cultural Heritage Status

The property at 512 English Street 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 C-ranked property within the HCD. C-ranked properties are described within the Old East Heritage Conservation District Study as being “of value as part of the environment” (Section 4.2).

##### 1.3 Description

The existing dwelling at 512 English Street was constructed in 1903 and is a 1 ½ storey vernacular buff brick dwelling with a gable roof, and wood shingle imbrication in its west facing gable (Appendix B).

#### 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* (2020) 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 dwellings within the Old East Heritage Conservation District are described within the *Old East Heritage Conservation District Conservation and Design Guidelines* as having fairly narrow front façade, and a result elements such as doors and windows take up proportionally large amounts of space and contribute substantially to the heritage appeal of the buildings. Further, the repetition of specific window shapes including arched windows, keyhole windows, and rectangular double-hung windows are noted for its continuity within the Old East Heritage Conservation District. Retaining the shape, size, and proportion of window is an important aspect of conserving the heritage character of the district.

The *Old East Heritage Conservation District Conservation and Design Guidelines* provides guidance for alterations and replacement of and installation of windows within the Heritage Conservation District:

Section 3.6 Doors and Windows – The replacement of original wood framed windows by vinyl or aluminum clad window is discouraged. If this is the only reasonable option, the replacement windows should mimic the original windows with respect to style, size and proportion, with a frame that is similar in colour, or can be painted, to match other windows.

Section 4.3.1.c. Guidelines for Alterations – Seek similar properties (same age, same design, same builder) for evidence of details that may still exist as samples for reconstruction.

Section 4.3.1.f Guidelines for Alterations – Where replacement of features (e.g. doors, windows, trim) is unavoidable, the replacement components should be of the same general style, size and proportions.

### **3.0 Heritage Alteration Permit Application**

#### **3.1 Heritage Alteration Permit**

Numerous complaints about unapproved alterations to the property at 512 English Street were brought to the attention of the City in February 2020. The Heritage Planner consulted with a representative of the property in February and March 2020, identifying alterations to the heritage designated property that required approval of a Heritage Alteration Permit, including the replacement of existing windows, and the addition of an additional window opening.

Due to the City's response to the COVID-19 pandemic, a completed Heritage Alteration Permit application could not be received until July 2020, as the application required consultation with the London Advisory Committee on Heritage. A complete Heritage Alteration Permit application was submitted by the representative of the property owner and was received on July 14, 2020. The representative of the property owner has applied for a Heritage Alteration Permit seeking approval for:

- Removal of the existing second storey vinyl window;
- Addition of a second window opening on the second storey;
- Installation of two new double-hung vinyl windows, 2' x4' in size;
- Installation of new voussoirs, constructed of salvaged buff brick; and
- Installation of new sills to match the existing windows on the dwelling.

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).

Timelines legislated pursuant to the *Ontario Heritage Act* are currently suspended by Ontario Regulation 73/20 for the duration of the COVID-19 pandemic.

### **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 of recommended practices and guidelines that are outlined in Section 4.2 (Alterations) of the *Old East Heritage Conservation District Plan*, as well as Section 3.6 (Doors and Windows) of the *Old East Heritage Conservation District Conservation and Design Guidelines*.

**4.2 Window Replacement**

The review of the window and façade alterations included within this Heritage Alteration Permit application considers the direction outlined in Section 3.6. 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*.

The existing window that is the subject of the Heritage Alteration Permit application on the west façade of the dwelling had been previously replaced with a double hung, vinyl window. The window was removed and the window opening was enlarged in February 2020, prior to receiving Heritage Alteration Permit approval. The intent of the enlarging the window opening was to alter the façade to include two symmetrical window openings.

Following consultation with the property owner’s representative, the window opening had been temporarily enclosed with plywood hoarding until Heritage Alteration Permit approval was obtained. The proposed alterations applied for include the installation of two new symmetrical double hung, vinyl windows, 2’ x 4’ in size. In order to mitigate the potential impacts on the west façade of the dwelling, the application seeks to remove the existing voussoirs and construct two new voussoirs over the new windows. In addition, two new sills will be installed below the new windows in order to match the existing window openings on the dwelling. The new voussoirs as well as the space in between the two new windows is proposed to be clad with salvaged buff brick to match the existing brick of the dwelling. Similar houses within the Old East Heritage Conservation District were cited by the applicant in the Heritage Alteration Permit application as inspiration for the proposed alterations, including the voussoir treatment (Appendix B)

**5.0 Conclusion**

The proposed alterations to the west façade of the dwelling at 512 English Street seek to be consistent with the Design Guidelines (Section 3.6) of the *Old East Heritage Conservation District Conservation and Design Guidelines*. The proposed windows, sills, and voussoirs have been selected to be similar in design, scale, and materials to similar dwellings located within the Old East Heritage Conservation District. The proposed alterations should be permitted with terms and conditions.

<p><b>Prepared by:</b></p>	<p><b>Michael Greguol, CAHP Heritage Planner</b></p>
<p><b>Submitted and Recommended by:</b></p>	<p><b>Gregg Barrett, AICP Director, City Planning and City Planner</b></p>

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 30, 2020  
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Appendix A Property Location  
Appendix B Images

**Appendix A – Location**



Figure 1: Location of the subject property at 512 English Street in the Old East Heritage Conservation District.

Appendix B – Images



Image 1: Photograph showing the dwelling at 512 English Street located within the Old East Heritage Conservation District, c.2018.



Image 2: Photograph showing the dwelling at 512 English Street, located at the corner of Lorne Avenue and English Street within the Old East Heritage Conservation District. Note, the proposed alterations to the dwelling are underway.



*Image 3: Photograph showing unapproved alterations underway at 512 English Street in February, 2020. The plywood hoarding was installed in February, 2020, and has remained in this state, awaiting HAP approval.*



*Image 4: Photograph showing the dwelling at 512 English Street, in July 2020. No further work has been completed since February 2020.*





*Image 5: Photograph submitted as a part of the Heritage Alteration Permit application showing unapproved alterations underway.*



*Image 6: Photograph submitted as a part of the Heritage Alteration Permit application for 512 English Street, showing windows on the north façade of the dwelling. The voussoirs on this façade will be replicated on the west façade of the dwelling.*



*Image 7: Photograph submitted as a part of the Heritage Alteration Permit application for the property at 512 English Street, showing voussoir and sill details on the north façade that will be installed on the west façade.*



*Image 8: Photograph submitted as a part of the Heritage Alteration Permit application for the property at 512 English Street, showing the property located at 519 English Street, within the Old East Heritage Conservation District. The property was cited in the Heritage Alteration Permit application as an example of a similar property demonstrating the voussoirs and sills to be installed at 512 English Street.*



*Image 9: Photograph of the dwelling located at 520 English Street within the Old East Heritage Conservation District, showing a set of second storey windows, similar to the proposed alterations at 512 English Street. Note, the decorative millwork in the gable of this dwelling extends to the tops of the windows, so voussoirs are not observed on this house.*