

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 M. Ventura Egan at
 562 Maitland Street, East Woodfield Heritage Conservation
 District
Meeting on: Thursday September 10, 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 562 Maitland Street, within the East Woodfield Heritage Conservation District, **BE PERMITTED** with terms and conditions:

- a) All exposed wood be painted;
- b) The previously installed 6"x6" wood posts be finished with wood materials in the design submitted as part of the Heritage Alteration Permit application;
- c) The previously removed rails and spindles be conserved and re-installed; 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 562 Maitland Street contributes to the heritage character of the East Woodfield Heritage Conservation District. Alterations were undertaken to the property without obtaining Heritage Alteration Permit approval. 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 Heritage Alteration Permit application seeks approval for the replacement of six rounded posts with six new square posts, and the replacement of new porch flooring. The recommended action is to permit the proposed alterations to the porch. Provided that the appropriate wood materials be used and all exposed wood be painted, the alterations should be permitted with terms and conditions.

Analysis

1.0 Background

1.1 Location

The property at 562 Maitland Street is located on the east side of Maitland Street, between Central Avenue and Princess Avenue (Appendix A).

1.2 Cultural Heritage Status

The property at 562 Maitland Street is located within the East Woodfield Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* in 1993.

1.3 Description

The existing dwelling at 562 Maitland Street was constructed in 1894 and is a 1 ½ storey vernacular buff brick dwelling with a cross gable roof and wood shingle imbrication in its west, north, and south facing gables. The dwelling also includes a porch that extends across the entire west (front) façade of the dwelling and wraps around to the south façade. Six posts and columns, consisting of rusticated concrete block posts, and round tapered columns supported the porch roof (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 East Woodfield Heritage Conservation District

The intent of the East Woodfield Heritage Conservation District (HCD) is to guide and manage physical change and development within the HCD. Municipal Councils intends to undertake this by:

- *adopting the East Woodfield Heritage Conservation District Plan;*
- *determining permit applications for changes and alterations according to the guidelines containing in the East Woodfield Heritage Conservation District Plan;*
- and,*

- *initiating appropriate public works and improvements that are within the financial capabilities of the Corporation of the City of London.*

Further, Municipal Council recognizes that:

- *many heritage buildings over the past decades have witnessed the introduction of a variety of changes to building fabric including additions, at the rear, side and in roof spaces;*
- *change in East Woodfield's built heritage is to be expected in the future, yet it must be carefully managed in a manner that does not adversely affect this special environment;*
- *any proposed change within the district shall be considered;*
 - *within a number of Council approved conservation, design, landscaping and planning guidelines; and*
 - *with consideration of the individual merits of the proposed change.*

To support these intentions, the goals and objectives of Section 2.0, *East Woodfield Heritage Conservation District Plan (Part II)* (East Woodfield District Conservation Goals and Objectives) were developed to provide a framework for more specific guidance within the HCD. Section 2.1 (District Conservation Goals) state the following as goals of the HCD:

- *To maintain and enhance the residential character of East Woodfield Heritage Conservation District;*
- *To protect and enhance existing heritage residential buildings; and,*
- *To avoid destruction of East Woodfield's heritage building and landscape fabric and to encourage only those changes that are undertaken in a manner that if such alterations or additions were removed in the future, the essential form and integrity of the heritage property would remain unimpaired.*

To implement the intent, as well as the goals and objectives of the East Woodfield Heritage Conservation District, the conservation guidelines included within Section 3.6, *Part II* (Decorative Wooden Detailing), as well as the guidelines included in Section 4.2.4, *Part II* (Entrances) were considered in the evaluation of this Heritage Alteration Permit application.

The applicable conservation guidelines from Section 3.6, *Part II* (Decorative Wooden Detailing) of the *East Woodfield Heritage Conservation District* note:

“Decorative wooden detailing and ornamentation such as porches, verandahs, and dormers, scrollwork, spindles, columns and turned posts, brackets, vergeboards, finials and pendants, dentils, etc. are found on even modest historic buildings of the nineteenth and twentieth centuries. They are considered to be an integral part of the building's character and should be retained.”

The applicable guidelines for alterations, additions, and new construction from Section 4.2.4, *Part II* (Entrances) of the *East Woodfield Heritage Conservation District* include the following guidance:

1. *Protect and maintain entrances and porches especially on principal facades where they are often key in defining the character of the building.*
2. *Conserve glazing, doors, steps, historic lighting fixtures, balustrades and entablatures and avoid the removal of porches and architectural features.*
3. *The design and construction of a new entrance and/or porch are encouraged to be compatible with the character of the building. Restoration of a missing porch should be based upon historical, pictorial and physical documentation.*
4. *Encourage required new entrances to be installed on secondary elevations rather than the principal facades. Where external staircases are proposed they should*

be located at the rear of a building or located behind verandahs, sun rooms, and other additions.

3.0 Heritage Alteration Permit Application

3.1 Heritage Alteration Permit

A complaint from the community brought the unapproved alterations to the property at 562 Maitland Street to the attention of the City on July 14, 2020. Compliance action took place, resulting in consultation with the Heritage Planner beginning on July 15, 2020.

A complete Heritage Alteration Permit application was submitted to the City on July 31, 2020. The applicant has applied for a Heritage Alteration Permit seeking approval for:

- Replacement of the existing porch flooring; and
- Replacement of six deteriorated turned posts with six new wooden square posts; and,
- Conservation and re-installation of the existing porch railings and spindles.

As the alterations have commenced prior to obtaining Heritage Alteration Permit approval, the 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 Porch Alterations

The review of the proposed porch alterations included within this Heritage Alteration Permit application considers the guidelines outlined in Section 3.6 and Section 4.2.4 of the *East Woodfield Heritage Conservation District Plan, Part II*.

The existing porch floor boards were removed prior to obtaining Heritage Alteration Permit approval due to extensive deterioration. Likewise, the existing turned posts were also removed, and 6" x 6" structural posts have been installed to support the porch roof. The structural posts are proposed to be enclosed with a decorative squared design included a box base detail and a flared neck trim (see Appendix C). The applicant has confirmed that the existing rails and squared spindles have been conserved and will be re-installed.

The proposed porch alterations applied for within the Heritage Alteration Permit application comply with the guidelines outlined in Section 4.2.4, *Part II* (Entrances) of the *East Woodfield Heritage Conservation District Plan* which note that the "design and construction of a new entrance and/or porch are encouraged to be compatible with the character of the building." Further, the salvage and conservation of the existing rails and spindles is compliant with the same guidelines which direct property owners to "conserve glazing, doors, steps, historic lighting fixtures, balustrades and entablatures and avoid the removal of porches and architectural features."

The proposed porch floor replacement and porch post replacements should be approved with terms and conditions to ensure that appropriate materials and finishes are used in the reconstruction of the porch on the property at 562 Maitland Street in the East Woodfield Heritage Conservation District.

5.0 Conclusion

The proposed alterations to the porch at 562 Maitland Street seek to be consistent with the design guidelines of the *East Woodfield Heritage Conservation District Plan, Part II*. The proposed materials and design have been selected to be compatible in design. Further, where possible, existing materials have been conserved to be re-installed

including the railings and squared spindles. The proposed alterations should be permitted with terms and conditions.

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.	

August 28, 2020
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- Appendix A Property Location
- Appendix B Images
- Appendix C Sketch of Proposed Post Replacement

Appendix A – Location



Figure 1: Location of the subject property at 562 Maitland Street in the East Woodfield Heritage Conservation District.

Appendix B – Images



Image 1: Photograph showing the dwelling at 562 Maitland Street c.1992 as shown in the East Woodfield Heritage Conservation District Study: Heritage Assessment Report.



Image 2: Photograph showing the dwelling at 562 Maitland Street in the East Woodfield Heritage Conservation District, showing the porch in April 2020 prior to alterations being undertaken.



Image 3: Photograph showing the dwelling at 562 Maitland Street in the East Woodfield Heritage Conservation District, showing the porch in April 2020 prior to alterations being undertaken.



Image 4: Photograph showing unapproved alterations underway at 562 Maitland Street in August 2020. Note, the porch floor has been installed, and six 6" x 6" structural posts have been installed to support the porch roof.

Appendix C – Sketch of Proposed Post Replacement

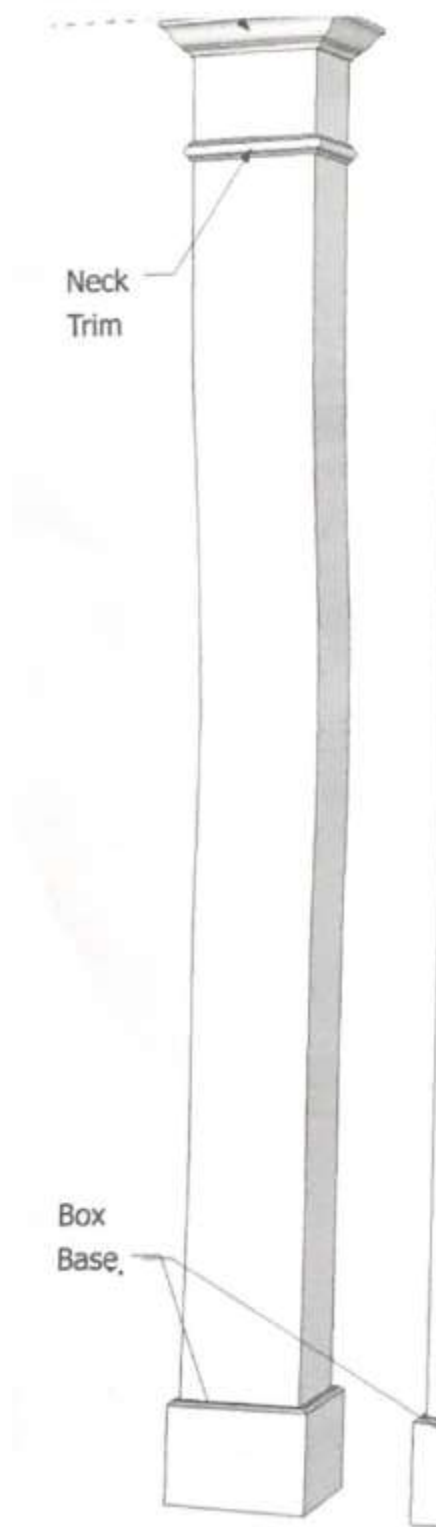


Figure 2: Image submitted as part of the Heritage Alteration Permit application for the property at 562 Maitland Street showing the proposed design of the porch posts.