

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: George Kotsifas, Deputy City Manager, Planning and Economic Development

Subject: Heritage Alteration Permit application by S. Doherty at 10 Bruce Street, Wortley Village-Old South Heritage Conservation District

Date: Monday November 22, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the porch of the heritage designated property at 10 Bruce Street, located within the Wortley Village-Old South Heritage Conservation District **BE PERMITTED** as submitted with the following terms and conditions,

- a) The porch be reconstructed using the salvaged brick and concrete block materials;
- b) The porch and railing system be reconstructed as previously constructed according to photographic documentation;
- c) The new columns consist of concrete with fluting and ornamental capitals to be replicated in kind based on the porch's previous construction;
- d) The Heritage Planner be circulated on the Building Permit to ensure the railing and columns are consistent with design of the previous porch;
- e) The proposed alterations to the porch be completed within six (6) months of Municipal Council's decision on this Heritage Alteration Permit; and,
- f) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Executive Summary

The property at 10 Bruce Street is a significant cultural heritage resource, designated pursuant to Part V of the *Ontario Heritage Act* as it is included within the Wortley Village-Old South Heritage Conservation District. The property owners undertook alterations including the removal of the existing porch without obtaining Heritage Alteration Permit approval. After consulting with the Heritage Planner, the property owner has submitted a Heritage Alteration Permit application to restore the porch to its previous appearance using existing materials salvages from the porch, and to replace the adorned front columns to provide for a stronger structural element to the covered front porch. The alterations proposed in this Heritage Alteration Permit application should be approved with terms and conditions.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan area of focus:

- Strengthening Our Community:
 - Continuing to conserve London's heritage properties and archaeological resources

Analysis

1.0 Background Information

1.1 Location

The property at 10 Bruce Street is located on the north side of Bruce Street between Wharncliffe Road South and Cynthia Street (Appendix A).

1.2 Cultural Heritage Status

The property at 10 Bruce Street is located within the Wortley Village-Old South Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.-3439-321 on June 1, 2015. The property is C-rated in the *Wortley Village-Old South Heritage Conservation District Plan* which notes that the form and massing of the building belonged to a historical family of buildings, and that the building on the property is a good example of a modest design representing the area or repeated in many locations.

1.3 Description

The dwelling located at 10 Bruce Street was constructed circa 1912. The City Directory notes the first occupant of the dwelling to be J Herbert Childs, identified as a pattern maker. The construction of the dwelling, along with its neighbours at 8 Bruce Street and 12 Bruce Street represents one of the last few houses constructed on the north side of Bruce Street within the Wortley Village-Old South Heritage Conservation District. Much of this area was first established as Crown reserve for colonial administrators and was later surveyed into park lots and smaller buildings.

The dwelling at 10 Bruce Street is a two-storey vernacular dwelling constructed of concrete block, with a hipped roof and projecting central gable dormer. Contextually, the dwelling is one of three dwellings constructed in a row that share nearly identical characteristics in terms of form, scale, and mass. The exterior of 10 Bruce Street possesses relative uniqueness in that it is constructed of three types of concrete blocks including smooth concrete block, rusticated concrete blocks used for quoins, and smaller rusticated blocks (nearing the size of bricks) that are used for banding across the elevations of the dwelling. The various sizes and finishes of the concrete blocks are also used in the design and construction of the covered front porch.

The front porch spans the entirety of the front façade of the dwelling and includes a set of five concrete block plinths that provide a base for the five fluted concrete columns that support the flat porch roof. The railing system also consists of the various concrete block materials.

Though the exact builder of 10 Bruce Street has not been confirmed, the three dwellings at 8, 10, and 12 Bruce Street bear a resemblance to dwellings constructed by Thomas and John Wilkey, otherwise known as the Wilkey Brothers. The Wilkey Brothers were known for the construction of several homes on Lorne Avenue in what is now the Old East Heritage Conservation District. The 2 and 2 ½ storey houses they constructed beginning around 1910 often included concrete block foundation, as well as porches with concrete piers and columns.¹

¹ The Wilkey Brothers houses were primarily constructed along Lorne Avenue in two phases. The first were constructed between 1900-1910 and were generally 1 ½ storeys with decorative gables, small porches, large curved stained-glass windows, and stained glass transoms. These include 885 to 911 Lorne Avenue and 864 to 858 Lorne Avenue. The second phase of Wilkey houses were constructed after 1910 and included larger 2 and 2 ½ storey red brick dwellings on concrete block foundations, often including porches with concrete piers and columns. These dwellings can be found at 815 to 825 Lorne Avenue as well as 514 and 520 Ontario Street. The second phase of Wilkey houses share similarities with 8, 10, and 12 Bruce Street. For further information, see *Old East Heritage Conservation District Study*, 2004.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement* (2020), the *Ontario Heritage Act*, and *The London Plan* and the *Official Plan* (1989, as amended).

2.1.1 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.”

“Conserved” is defined in the *Provincial Policy Statement* (2020), “means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.”

2.1.2 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*).

2.1.2.1 Contraventions 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.

2.1.3 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.*

2.1.4 Wortley Village-Old South Heritage Conservation District Plan

Porches within the Wortley Village-Old South Heritage Conservation District are recognized for their social, architectural, and historic importance. The *Wortley Village-Old South Heritage Conservation District Plan* notes that all porches “deserve to be

carefully conserved using adequate research to determine the original character and identify appropriate conservation and restoration techniques” (Section 8.2.5).

The guidelines included in Section 8.3.1.1 (Recommended Practices and Design Guidelines) for alterations provide a useful direction for considering porch restoration projects:

8.3.1.1 Recommended Practices and Design Guidelines

- a) *Research the original style and appearance of the building to determine “authentic limits” of restoration or alteration so that the appropriate style is maintained;*
- b) *In the absence of historical data, use forensic evidence available from the building itself to suggest appropriate restoration or alteration;*
- c) *Seek similar properties (same age, same design, same builder, same architect) for evidence of details that may still exist as samples for reconstruction;*
- 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;*
- f) *Where replacement of features (e.g. doors, windows, trim) is unavoidable, the replacement components should be of the same style, size, proportions and material whenever possible.*
- g) *Incorporate similar building forms, materials, scale and design elements in the alteration that exist on the original building.*
- h) *Avoid concealing or irreversibly altering heritage attributes of property, such as entrances, windows, doors and decorative details when undertaking alterations;*
- i) *If in doubt, use discretion and avoid irreversible changes to the basic structure and architectural style.*
- j) *Keep accurate photographs and other records, and sample of original elements that have been replaced.*

2.2 Heritage Alteration Permit (HAP21-073-L)

The front porch of the dwelling at 10 Bruce Street sustained damage as a result of snow loading in the winter of 2021. In March 2021, an engineering consultant for the property owner contacted the City inquiring about potential requirements for Heritage Alteration Permit approval. The Heritage Planner consulted with the engineer confirming that a Heritage Alteration Permit would be required as a part of the reconstruction of the front porch in order to ensure that elements that were required to be replaced were compliant with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan*. No Heritage Alteration Permit application had been submitted following initial consultation.

In September 2021, a complaint from a community member regarding work taking place without approval at 10 Bruce Street was received by the City. A Building Inspector for the City confirmed that the existing porch had been removed in its entirety in anticipation of reconstruction. The property owner was advised that a Heritage Alteration Permit was required prior to work taking place.

On October 18, 2021, a Heritage Alteration Permit application was received by the City seeking approval for the following alterations to the heritage designated property at 10 Bruce Street:

- Reconstruction of a new porch on a new poured concrete foundation with the following details:
 - Reconstruction to previous conditions based on existing photographs prior to the removal including the salvage and re-use of existing concrete blocks;
 - Installation of new concrete columns to be replicated based on identical design to previous columns (and neighbouring columns).

The 90-day timeline for Municipal Council to consider this Heritage Alteration Permit application expires on January 16, 2022.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

Porch/verandah removal or replacement visible from the street is a class of alteration that requires Heritage Alteration Permit approval, identified within the *Wortley Village-Old South Heritage Conservation District Plan*.

The review of the proposed porch alterations included within this Heritage Alteration Permit application considers the direction outlined in Section 8.3.1.1 (Recommended Practices and Design Guidelines) and Section 9.5 (Porches and Verandahs). The proposed porch reconstruction complies in general with the guidelines included within the relevant sections of the *Wortley Village-Old South Heritage Conservation District Plan*. In particular, the salvage and re-use of the existing concrete block materials and reconstruction based on available photographic documentation complies with the guidelines for Alterations. The new concrete columns will be based on a replication of the previous concrete columns including decorative detailing that is consistent with the neighbouring properties at 8 and 12 Bruce Street.

The property owner's Building Permit drawings should reflect the unique characteristics of the previous porch including the pattern of the concrete block railing system, as well as the decorative concrete columns.

Conclusion

The proposed alterations to the porch at 10 Bruce Street, a heritage designated property included within the Wortley Village-Old South Heritage Conservation District seek to restore the porch to its previous appearance based on existing photographic documentation. The proposed alterations are consistent with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan* and should be permitted with terms and conditions.

Prepared by: Michael Greguol, CAHP
Heritage Planner

Reviewed by: Britt O'Hagan, MCIP RPP
Manager, Community Planning, Urban Design, and Heritage

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P.Eng.
Deputy City Manager, Planning and Economic Development

Appendices

Appendix A Property Location
Appendix B Images

Sources

Corporation of the City of London. *Wortley Village-Old South Heritage Conservation District Plan and Guidelines*. September 2014.
Corporation of the City of London. *Register of Cultural Heritage Resources*. 2019.

Corporation of the City of London. *2019-2023 Strategic Plan*.

Corporation of the City of London. *The London Plan*. 2019 (consolidated).

Ontario Heritage Act. 2021. Retrieved from <https://www.ontario.ca/laws/statute/90o18>.

Appendix A – Property Location



Figure 1: Location Map showing the subject property at 10 Bruce Street.

Appendix B – Images

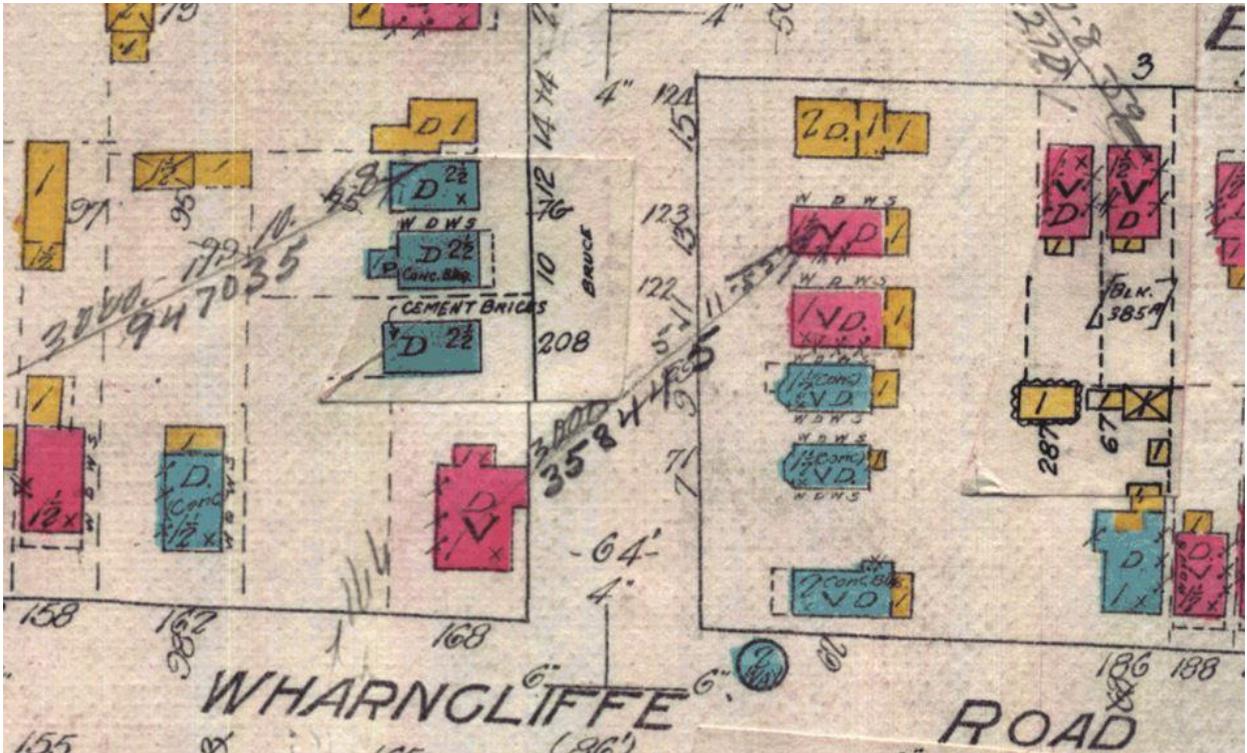


Figure 2: Excerpt of 1912 Revised 1915 Fire Insurance Plan, showing the set of three similar dwelling constructed on the north side of Bruce Street. A porch is depicted by the dotted line on the front of the dwelling at 10 Bruce Street.

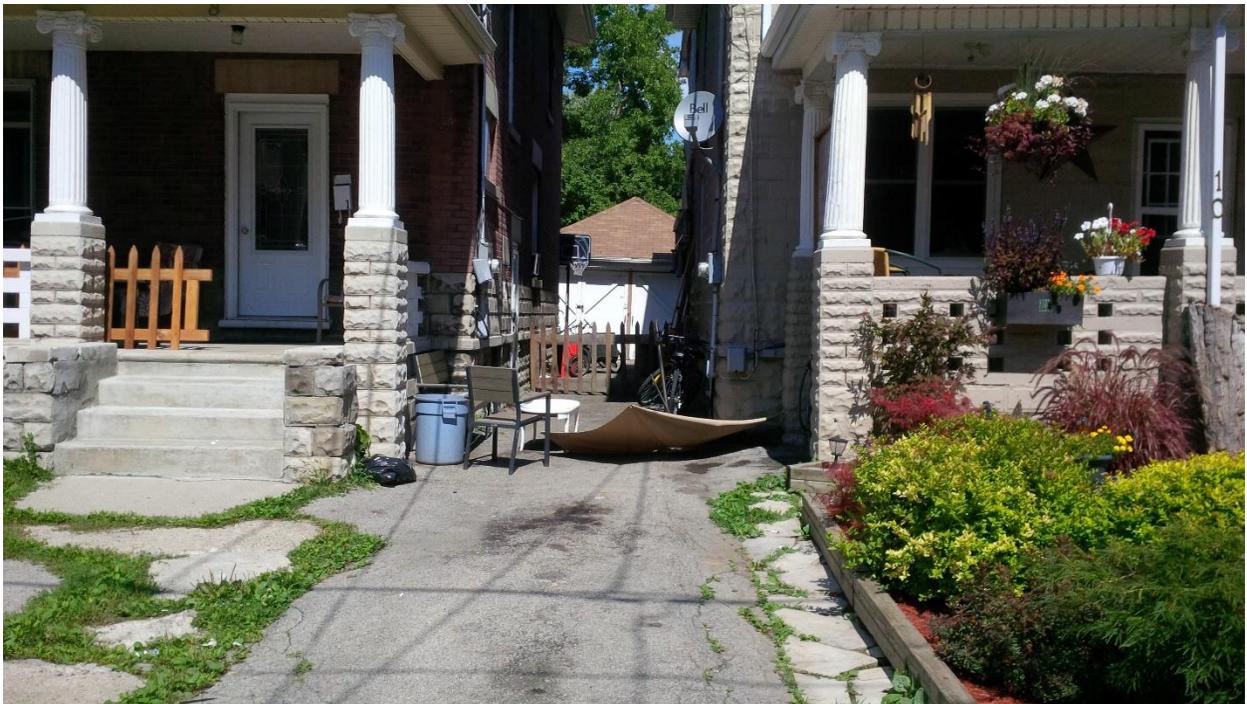


Image 1: Photograph of the dwelling at 10 Bruce Street (right) and the adjacent 8 Bruce Street (left) submitted as a part of the Heritage Alteration Permit application. Note, the concrete plinths and columns on each property are similar, but the railing systems are different.



Image 2: Photograph submitted with the Heritage Alteration Permit application showing the previous appearance of the porch. The proposed alterations are to reconstruct the porch to replicate its previous design.



Image 3: Detail showing the previous decorative columns on the porch at 10 Bruce Street. The details of the columns are to be replicated for the new porch.



Image 4: Photograph showing the dwelling located at 10 Bruce Street following the removal of the previous porch, October 2021.



Image 5: Photograph showing the dwelling located at 10 Bruce Street following the removal of the previous porch, October 2021.



Image 6: Photograph showing the dwelling located at 10 Bruce Street following the removal of the previous porch, October 2021.