St. Mary's Heritage Conservation District Plan

Guidelines for conservation and change

Prepared For:
The Corporation of the City of Kitchener

Final Report August 2001

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Table of Contents			3.9.1 Residence (Frame, One-a-half stories) 3-1-
			3.9.2 Residence (Concrete Block)
PART 1	: THE ST. MARYS HERITAGE CONSERVATION		3.9.3 Residence (Brick)
	DISTRICT: GUIDELINES FOR CONSERVATION AND CHANGE	PART	
1.1 1.2 1.3 1.4	Introduction	4.1 4.2	Introduction
PART 2	DISTRICT: DESIGN GUIDELINES FOR		4.2.6 Parking 4.2.7 Roadways 4.2.8 Viewsheds
2.1 2.2	ALTERATIONS, NEW ADDITIONS AND MINOR NEW CONSTRUCTION Introduction	4.3	Landscape conservation guidelines
	2.2.1 Location 2.2.2 Design	PART	T 5: PLANNING AND IMPLEMENTATION
2.3	New lots and new construction	5.1	Background
2.4	New construction	5.2	Provincial Policy Statement provisions
	2.4.1 Design considerations in new residential design	5.3	Land use
2.5	Case Studies	5.4	Height
		5.5	Protecting trees
PART 3	: CONSERVATION OF BUILDING MATERIALS	5.6	Implementation measures
3.1	Introduction		5.6.1 Permit approvals
3.2	Conservation Practice		5.6.2 Planning and development applications
	3.2.1 Conservation Practice Guidelines		5.6.3 Monitoring the guidelines
	3.2.2 Building Conservation	5.7	Traffic Management5-7
3.3	Foundations		
3.4	Structural Systems	TABLE	E 1: TYPES OF EXTERIOR ADDITIONS AND ALTERATIONS
3.5	Roofing		PERMITTED OR REQUIRING A MUNICIPAL PERMIT
3.6	Windows and Entrances		
3.7	Exterior Paint 3-11	GLOSS	SSARY OF TERMS
3.8	Energy Conservation	Sample	le Alteration/Demolition Application Form
3.9	Case Studies	•	***************************************

PART 1: THE

THE ST. MARYS HERITAGE
CONSERVATION DISTRICT:
GUIDELINES FOR CONSERVATION
AND CHANGE

1.1 Introduction

The St. Mary's Heritage Conservation District Plan follows on from the St. Mary's Heritage Conservation District Heritage Assessment Report that described the heritage characteristics of this immediate post-war community in the City of Kitchener. The report also provided a rationale for the boundary of the proposed district.

The purpose of this document **St. Mary's Heritage Conservation District: Guidelines for conservation and change** is to provide guidance in the care and protection of the heritage character of the St. Mary's Heritage Conservation District.

The Guidelines comprise five parts. Part 1 provides a brief description of the heritage character of the St. Mary's District and a short statement of conservation principles. Part 2 contains design guidelines for alterations and additions to existing buildings. Part 3 contains conservation guidance on heritage fabric and features. Part 4 provides landscape conservation guidelines aimed at both private and public property owners. Part 5 describes planning and administrative guidelines for

change in the district as a whole including public works undertaken by municipal government or other public agencies.

It must be remembered that these are "guidelines". They are intended to provide an objective minimum level of appropriateness for physical change over the coming years. The overall intent is to conserve and maintain the original building form with particular emphasis on protecting the front or publicly viewed facades. The guidelines are not prescriptive in determining specific design solutions for each building or lot. Importantly, the guidelines steer away from attempting to dictate matters of "architectural taste" which is often subjective in nature.

1.2 Summary character of the St. Mary's Heritage Conservation District

Within the City of Kitchener the heritage environment of the St. Mary's neighbourhood represents an important and formative aspect of post World War II construction, planning and development. In many respects what would later become fairly commonplace features in the new evolving Canadian suburban landscape were at their initiation a departure from the traditional grid of roads and lotting patterns. A number of heritage attributes distinguish the St. Mary's district and are summarized as follows:

Historical Associations

The historical growth of the St. Mary's neighbourhood is the result of the development of two major plans of subdivision that were developed by Wartime Housing Limited (later to be taken over by Central Mortgage and Housing Corporation) and Housing Enterprises of Canada, Limited. Both companies had their origins in the Federal government's direct response to the World War II housing crisis, specifically the profound shortage of dwellings resulting from a construction freeze due to the war effort. The partnership of the public and private housing sectors (providing funds) together with municipal government (providing land) and local contractors resulted in an innovative, administrative response to providing low-cost rental housing at a time of considerable need. These developments constituted an important form of development and planning, that had not been seen before in the City of Kitchener

Design and Architecture

Both the Housing Enterprises of Canada, Limited, and Wartime Housing Limited have individual yet complementary design features. Amongst the Housing Enterprises of Canada house types there are four principal or basic designs with numerous subtypes. The Wartime Housing Limited is distinguished by two principal house types.

Both the Housing Enterprises of Canada and Wartime Housing Limited subdivisions are, for the most part, single family dwellings. Common design features noted in the two subdivisions include predominantly one storey or one and-a-half storey structures, primarily square or rectangular in plan with side gable roofs without front dormers, asphalt shingle roofing, a variety of centre, offcentre and side hall plans, and simple window types.

Characteristic design features and construction materials in Housing Enterprises of Canada subdivision include:

- hip roofs on one storey houses;
- little or no eaves;
- concrete and concrete block wall;
- decorative quoins (corners) on concrete block houses;
- distinctive fenestration (window) placement;
- examples of decorative rock-faced concrete block foundation walls;
- panelled front doors with upper divided lights;
- a variety of single, multi-pane and double hung and picture window sash; and
- duplexes (notably on Lorne Crescent)

Design features associated with the Wartime Housing Limited subdivision include:

• a simplistic but distinctive and compact form;

- one and-a-half storey houses with steep gable roofs;
- little or no eaves;
- a lack of exterior detailing;
- a side or centred front entrance accentuated by a small open entrance porch with trellis-like supports or two squared posts, steps.
- porch roof is an extension of the main roofline;
 and,
- window sashes in traditional multi-paned, single picture, three part picture or two over two horizontal style.

Landscape character

The landscape character of the St. Mary's neighbourhood comprises a rich and varied legacy of generous public open spaces and equally substantial tree plantings. The landscape character of the neighbourhood enhances the existing post-War built form consisting of smaller houses with front lawns with specimen shade trees and small scale foundation planting. Parks consists of wide canopied shade trees in well maintained turf open spaces. Parkland, walkways, individual street trees, as well as mature canopies are a considerable physical asset and community amenity.

1.3 Conservation intent

The conservation intent within the St. Mary's Heritage Conservation District is to maintain the existing stock of Veteran housing. It is recognized that the heritage building stock is in various states of repair and maintenance. It is not the intent of the St. Mary's Heritage Conservation District to force property owners to restore their property. The guidelines are intended to assist in the conservation of the building form within the district.

On the contrary the St. Mary's Heritage Conservation District seeks to ensure that when change is considered heritage buildings and their defining features and/or materials are **protected** as part of that process.

The streetscape and landscape features that distinguish the St. Mary's Heritage Conservation District are also of importance. It is the intent, as with the building stock, to ensure that grass boulevards, street trees, hedgerows, front yard plantings and many mature boundary plantings such as trees and hedges are conserved and managed.

Retention of grass boulevards and new plantings where mature trees need replacement are priorities for publicly owned areas.

1.4 St. Mary's Heritage Conservation District: Conservation Principles

It is anticipated that change within the St. Mary's Heritage Conservation District will be guided for the most part by advice contained in Parts 2 and 3. Inevitably situations may arise in future years that have not been anticipated at the time of the preparation of this document. Accordingly, it is useful to provide the following principles of conservation and change to assist in setting the tone and context for the future of the St. Mary's Heritage Conservation District. They should always be consulted if the more detailed guidelines do not appear to specifically address an issue or problem. Essentially, they are the "default" mechanism.

The designation of the St. Mary's Heritage Conservation District seeks to ensure the wise care and management of the heritage character of the area. Physical change and development are to be managed in a way that the component buildings, streets and open spaces are either **protected** or **enhanced**.

1. Land use and development

The existing low density, low profile, single detached residential environment within the St. Mary's Heritage Conservation District will be maintained and encouraged. Other forms of residential development and new uses will be discouraged.

2. Heritage buildings

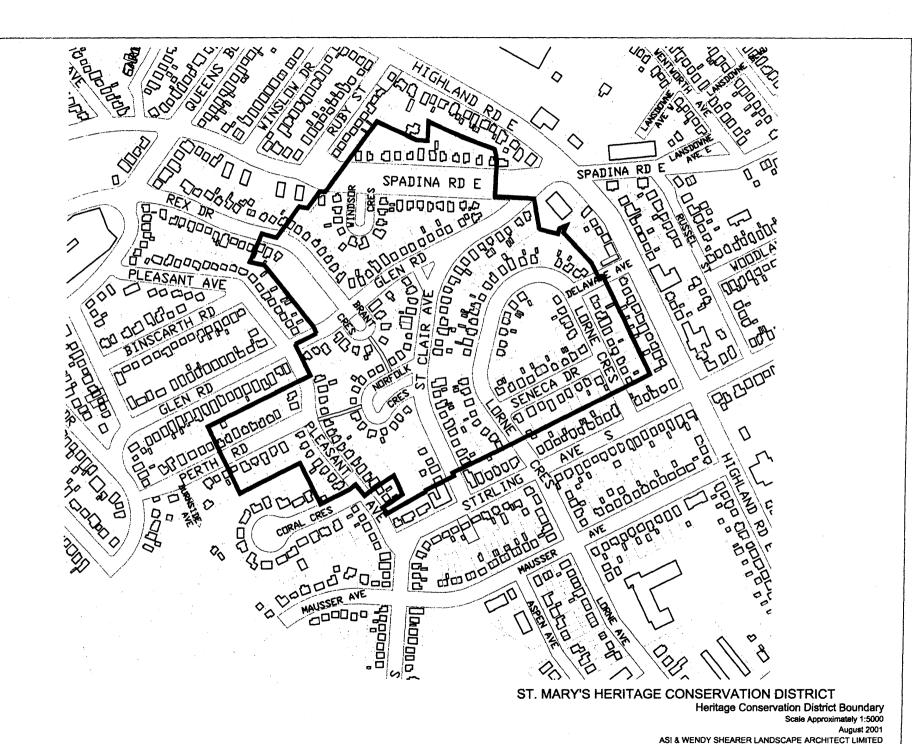
The existing residential building stock of Veteran housing is considered to be of heritage interest. Individual property owners will be encouraged to maintain and repair individual heritage buildings. City Council and staff will provide guidance on funding sources and appropriate conservation practices as requested. Demolition of heritage structures will be actively and vigorously discouraged.

3. Landscape character

In addition to principles 1 and 2 the landscape character of the St. Mary's Heritage Conservation District will be protected and enhanced by maintaining and managing individual street tree species, tree lines and grass boulevards and protecting public spaces from unsympathetic change and uses.

4. New development, construction and public works

All new development, construction and any public works will be encouraged only where it is clearly demonstrated that such changes will have both no adverse effects upon the heritage attributes of the district and will positively contribute to the character of the area.



PART 2:

ST. MARYS HERITAGE
CONSERVATION DISTRICT: DESIGN
GUIDELINES FOR ALTERATIONS,
NEW ADDITIONS AND MINOR NEW
CONSTRUCTION

2.1 Introduction

The St. Mary's Heritage Conservation District comprises a similar mix of building forms and functions. As in many heritage districts throughout Ontario, residents and property owners of the St. Mary's district are encouraged to work with existing buildings rather than demolishing and constructing new structures. While not prohibited by the Ontario Heritage Act the demolition of existing heritage structures and the creation of new buildings will be actively discouraged within the St. Mary's Heritage Conservation District.

Guidelines for the conservation of heritage buildings are contained in **Part 3** Guidelines for new construction as additions to heritage buildings are contained in the following subsections and described in the accompanying case studies.

2.2 Additions to buildings and sites

While alterations are usually undertaken to improve comfort levels in an existing house (more light or heat for example), additions are usually undertaken to provide needed living space, such as additional bedrooms for growing families, separate kitchens, and so on. Accordingly the following guidelines provide advice on how best to fit desired space into an existing heritage structure.

2.2.1 Location

- Exterior additions, including garages, balconies and greenhouses are encouraged to be located at the rear or on an inconspicuous side of the building, limited in size and scale to complement the exiting building and neighbouring properties. Additions at the rear should always be slightly lower than the existing roof ridge line and stepped in at the sides in order not to overpower or dominate the existing heritage buildings and the view from the street. Additions so constructed will also tend to be more neighbourly with adjoining property owners.
- Multi-storey exterior additions are best set back as deeply as possible from the existing front wall plane in order to be unobtrusive in the streetscape and differentiate the addition from the older structure.

 Additions to structures with symmetrical facades should avoid creating asymmetrical arrangements (imbalance) in building form.

2.2.2 Design

- New additions are best designed in a manner that distinguishes between old and new; and that avoids duplicating the exact style of the existing Veteran buildings or imitating a particular historical style or period of architecture.
- Contemporary design for additions is appropriate
 when such additions do not destroy significant
 architectural, historical or cultural material and
 when the design is compatible with mass, ratio of
 solids to voids, colour, material and character of
 the property, neighbourhood or environment.
- New additions should be designed in such a manner that wherever possible the essential form and integrity of the existing building would be unimpaired if the addition were removed in the future.
- Additions are encouraged to be located at the rear or on an inconspicuous side of the building,

limited in size and scale to complement the existing building and neighbouring properties. Keep the height and bulk of the new addition smaller than the existing building.

- Attempts to add to the height or roof of an existing heritage building should be avoided as changes to the roofline alter the character of a building significantly. Dormers should be located at the side or rear rather than on principal facades.
- Many of the existing houses have crawl spaces and property owners may wish to add a basement to their existing house. It is preferable that the overall height of the new foundation above grade not exceed those houses in the neighbourhood which already have full basements (maximum height 900 mm).

2.3 New lots and new construction

The creation of new lots and new single detached building construction will be discouraged within the St. Mary's Heritage Conservation District.

2.4 New Construction

New infill building construction is discouraged within the St. Mary's Heritage Conservation District. The following guidelines are to be used only in the rare event of an unexpected removal of a building.

Construction on newly created lots or vacant lots will be required to be compatible with the character of adjoining properties and the streetscape.

New construction should also appear to be "new" and not pretend to be historical or old simply by copying historic details that are inappropriate in contemporary construction such as shutters and multi-paned sash windows.

Additions should be sensitive to the character and scale of adjacent buildings (especially heritage property) in size and height.

2.4.1. Design considerations in new residential design General factors governing visual relationships between an infill building, its neighbours and the streetscape should be reviewed carefully and used as the basis for new construction including consideration of: building height, width, setbacks, roof shape, number of bays and materials. Specific guidance is described below:

Height:

The majority of buildings within the residential area are one-and-a-half storeys or less. Accordingly to maintain this profile new buildings should be no higher than one-and-a-half storeys, particularly if there are high basement and foundation walls. Required living space should be provided in a building mass that extends rearwards in depth on the lot rather than upwards in height.

Width:

New dwellings or building additions should be designed in a manner that provide living space in a building mass that extends rearwards in depth on the lot rather than in horizontal width across the lot. "L" plans may be used where appropriate.

Setback:

Existing residences have a variety of setbacks and vary from street to street. Accordingly, in streetscapes of similar building setbacks new construction should match existing.

Where adjacent buildings are staggered from one another the new intervening building facade should be:

 located so that it does not extend beyond the front facade of the forward-most building, or located so that it does not sit behind the front facade of the rearward building.

Proportion and massing:

New infill should be developed with horizontally rectangular to square proportioned facades with two or three bays comprising an entranceway and one or two window bays. Facades with a vertically rectangular emphasis should be avoided.

Roofs:

Roof types encouraged in new construction are side gable, hipped. Asphalt shingles are appropriate for new construction. Concrete, wood, clay, tile, slate, metal or composite materials are discouraged.

Roof vents, skylights, satellite dishes, solar panels, metal chimneys and flues, other venting devices and roof features are best located to the rear of new buildings.

Dormers should be encouraged at the rear. Their placement should attempt to reflect the pattern and position of existing windows and doors below, as well as use similar roof forms as the main building.

Heights of existing and adjacent roof lines and profiles should be maintained.

Materials: The majority of buildings in the St. Mary's Heritage Conservation District are of frame construction with a variety of cladding or siding materials. Cladding materials include asbestos siding, wood, and board-and-batten especially on rear additions. Synthetic materials such as metal or vinyl siding have also been used, either in whole or in part, to patch or cover former block or brick veneer structure which make up the balance of the buildings.

> Wall materials for use in new construction are encouraged to be wood cladding (either as clapboard or shingles). Limited use or small areas of synthetic cladding may be permitted on secondary facades or when used with traditional materials on principal facades. Use of concrete or synthetic masonry units or brick while unlikely, could be used.

Windows: A range of window and entrance types is evident in the existing architectural style represented in the Heritage Conservation District. The overall appearance of building facades is more wall surface (solids) than

windows (voids). Generally window openings are vertical and rectangular. The windows are arranged in a variety of ways, either individually, pairs, groups or composing a bay. New window designs that generally reflect vertical and rectangular dimensions are encouraged. On facades that face the street, windows should maintain proportions of neighbouring properties. Large, full-length or picture windows are best avoided.

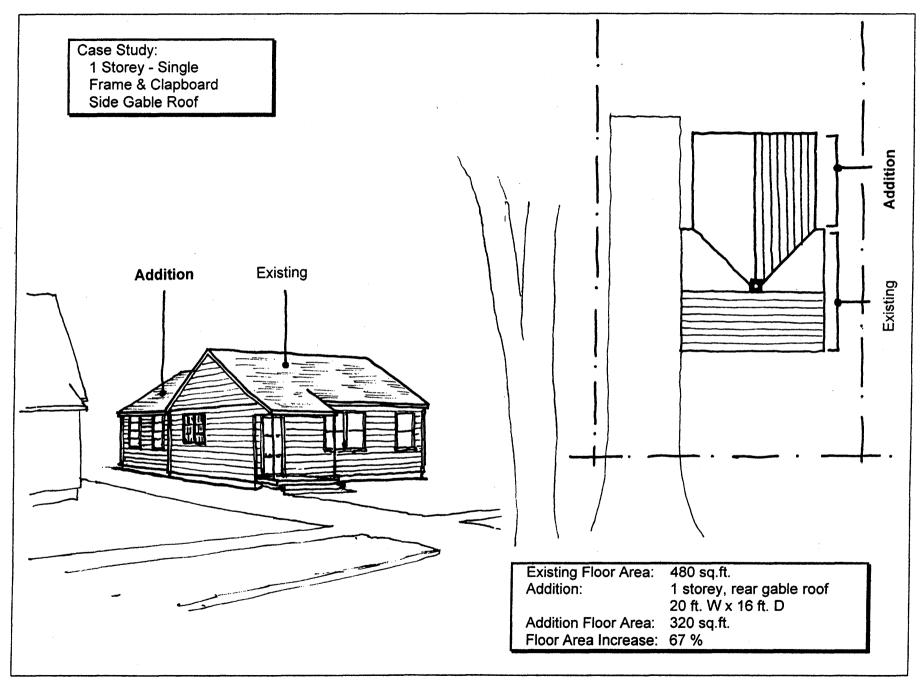
Entrances: Entrances are usually an important element of the principal elevation, frequently highlighted with architectural detailing such as door surrounds and porches and recessed or projected from the wall face for emphasis. Accordingly, fullsize double doors and large amounts of glazing in entranceways should be avoided.

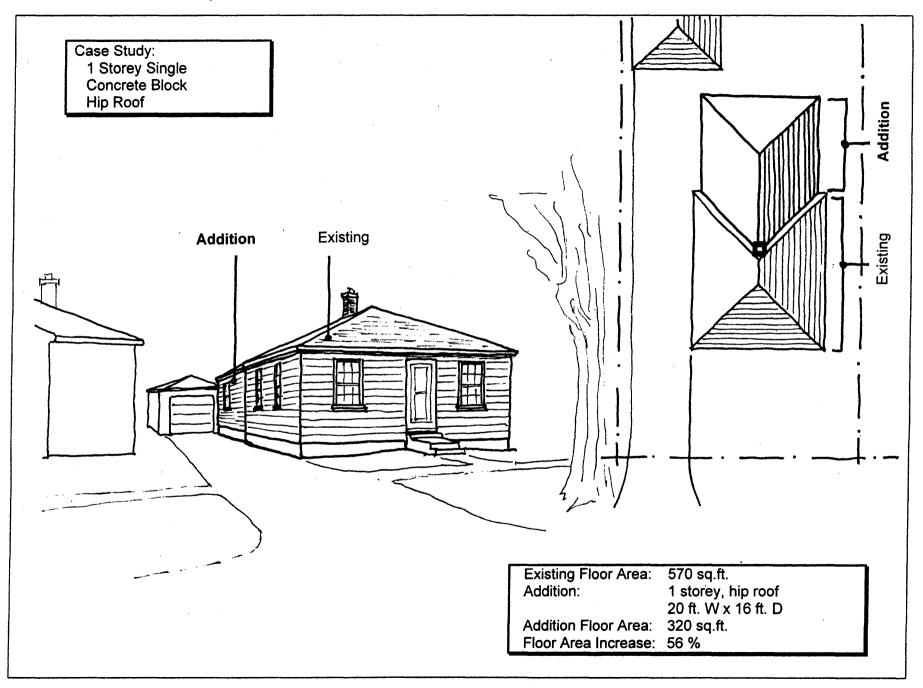
Garages and ancillary

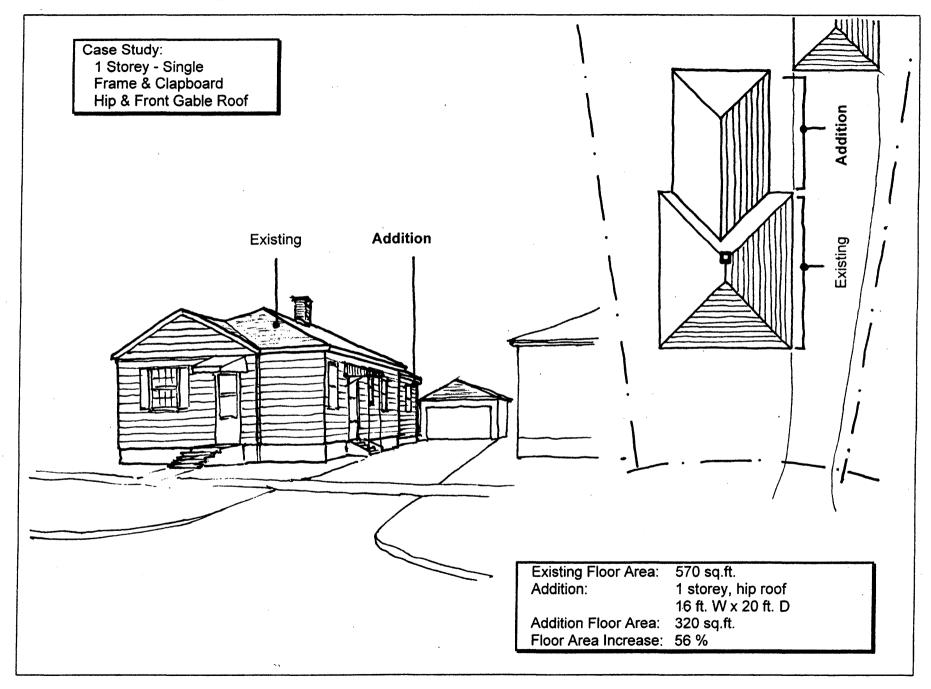
Garages and ancillary structures are best located behind the main facade and should be located in traditional areas for these structures: functions, usually towards the rear of the lot. Garages, in particular, should not form part of the front facade of the main building. New garages and parking spaces should be located in unobtrusive areas, normally to the rear and side yards.

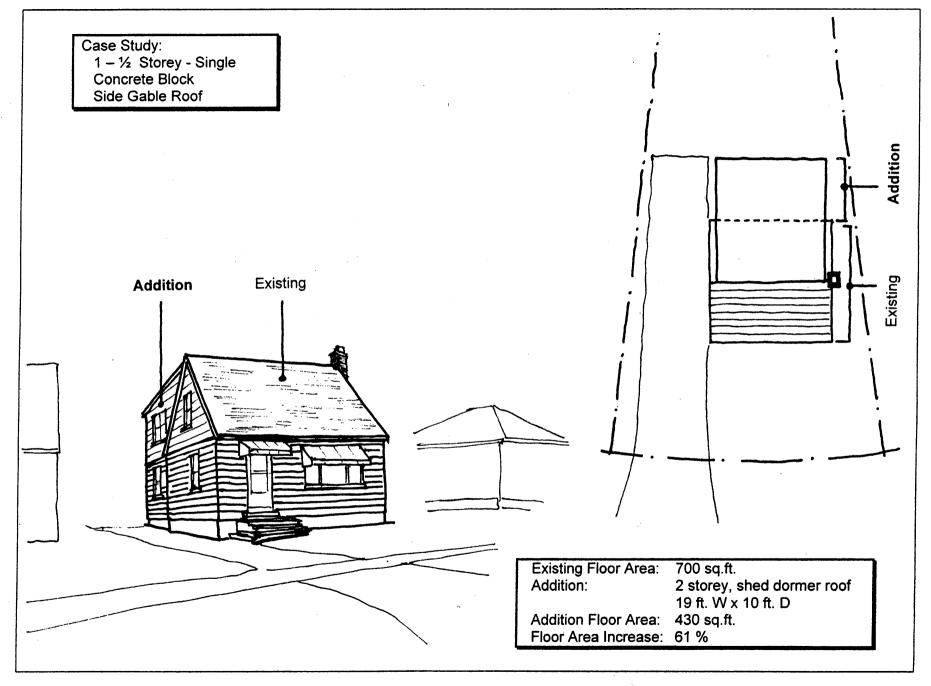
Case Studies 2.5

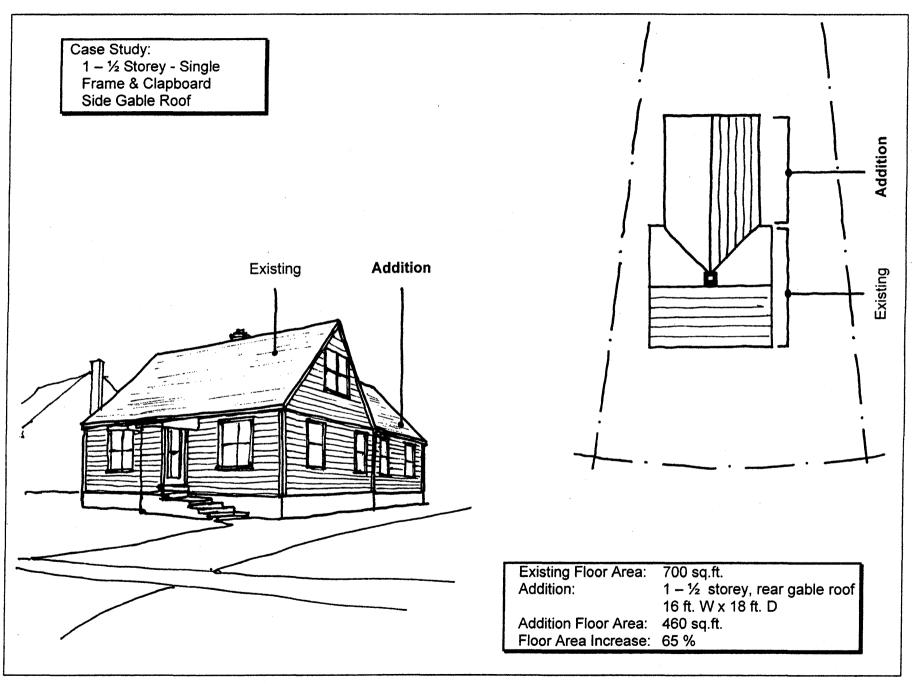
The following Case Study sketches are intended to illustrate ways in which the most common principles of the Guidelines for Alterations, New Additions and Minor New Construction might be interpreted and applied in practice. The house forms depicted represent a crosssection of the four principal house types and sub-types developed for the H.E.C. housing program, and two principal house types of the W.H.L. program, in a variety of cladding and basic structural combinations. The studies further reflect the three common house lot configurations on both the straight and curvilinear street plans.

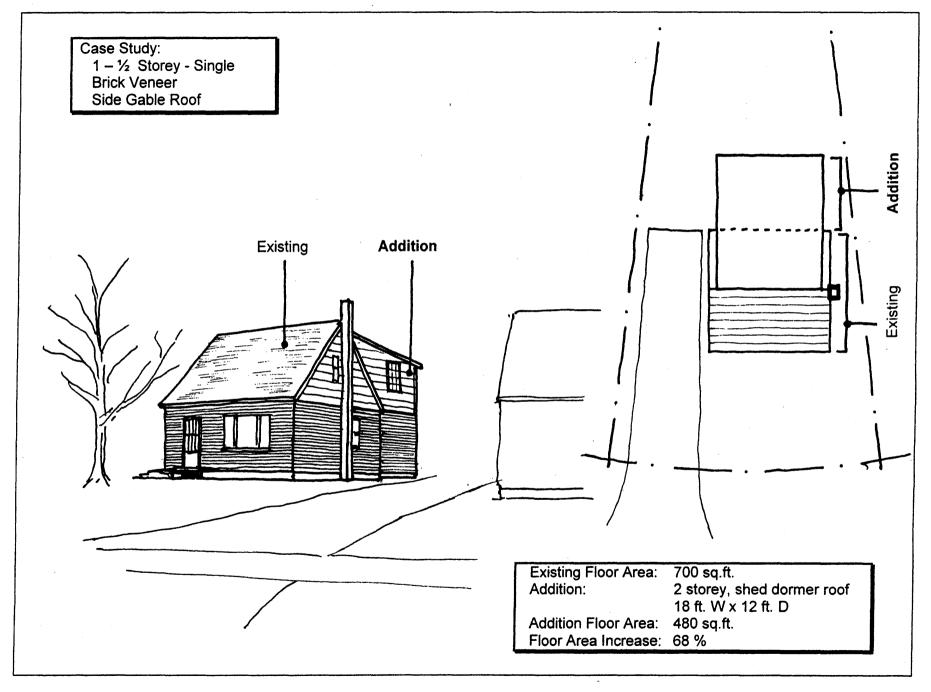


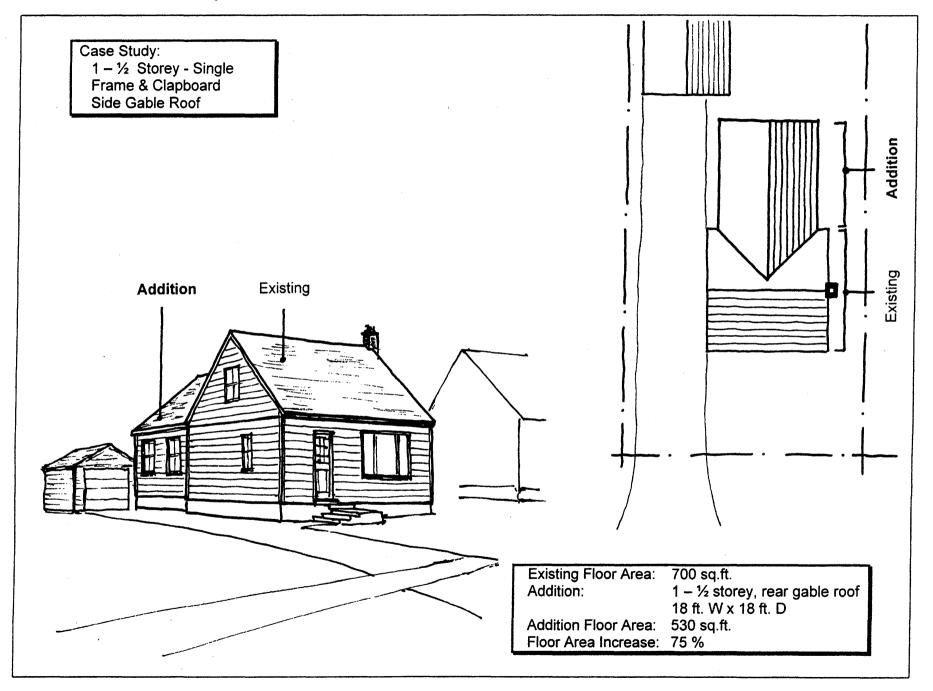


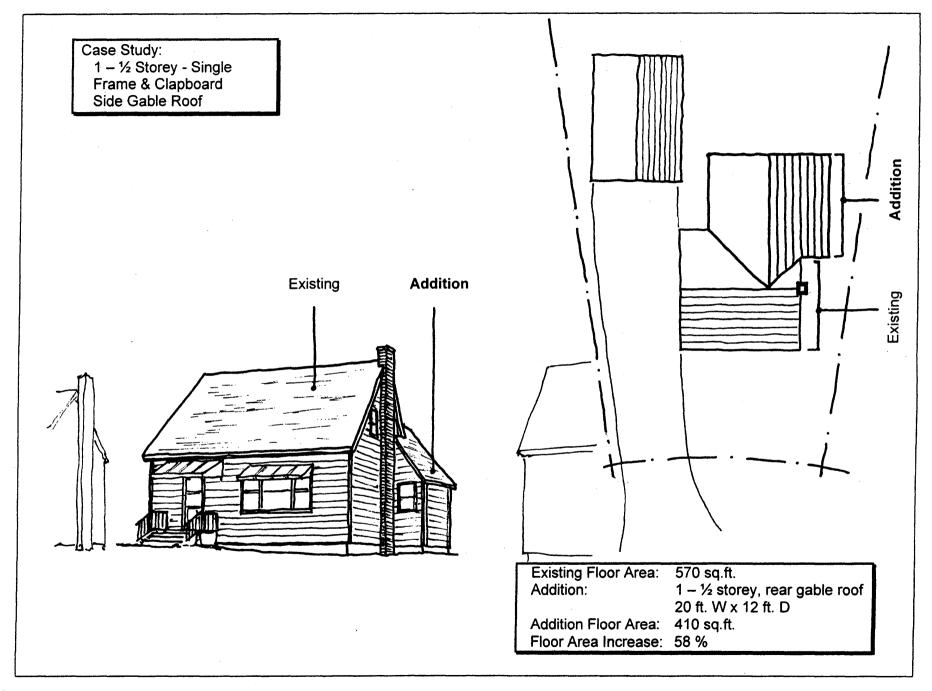


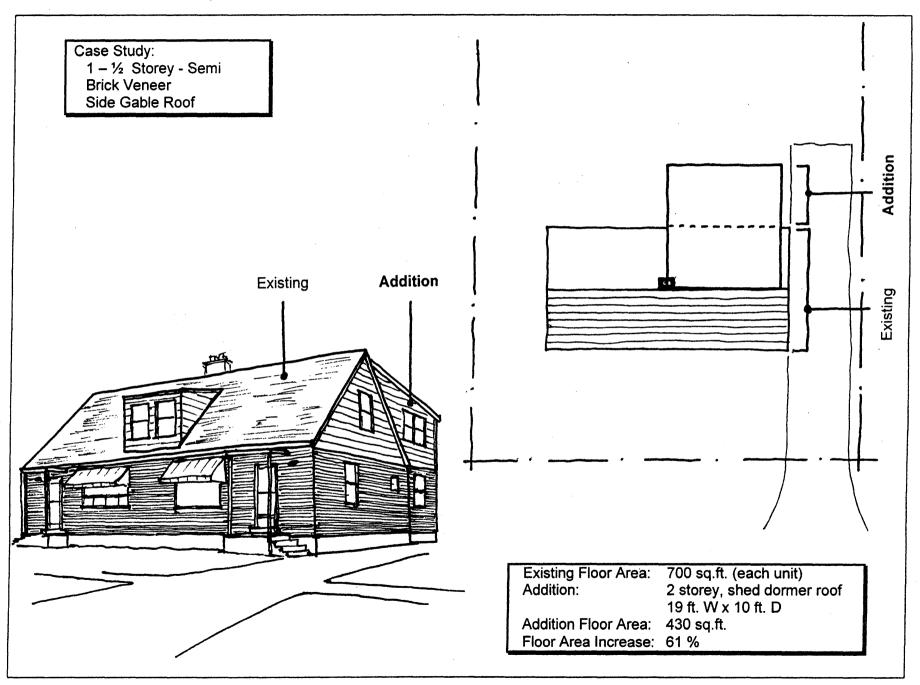


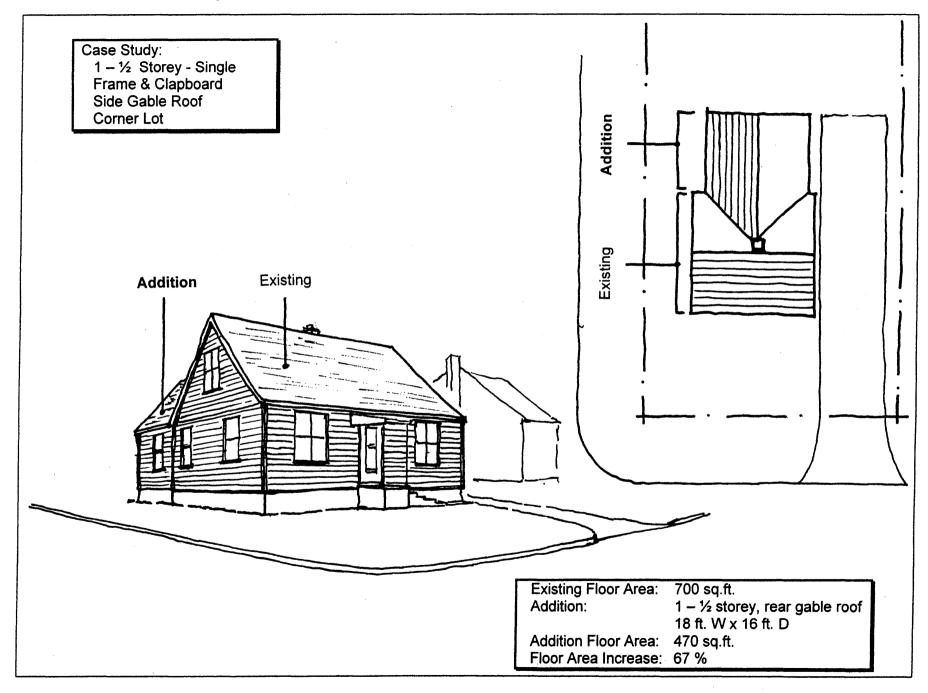












PART 3: CONSERVATION OF BUILDING MATERIALS

3.1 Introduction

In the **Heritage Assessment Report** for the St. Mary's Heritage Conservation District, section 2.7 Summary of Building Integrity clearly discusses the change that has occurred to building fabric in the district. The section states:

The majority of the houses in both the HEC and WHL subdivisions have undergone numerous alterations resulting in a wide range of building integrity from moderate changes to severely modified. The most common alterations include re-siding, window sash and front door replacement and changes to window openings, alterations to the original front porch and new front porches. Only a few of the many houses built with concrete block are not covered with new siding. Many of the houses have metal window and door awnings, although whether or not they are original to the construction of the house is unknown. Awnings were a design option at the time houses was built.

... There are a few examples of dormers being added to the front elevation. For the most part, the overall height, scale and form of the houses have been retained so the subdivisions are visually distinguishable in the landscape as Veteran's or Victory Housing.

On the basis of this knowledge, the following guidance provides assistance in the care, conservation and restoration of the existing built fabric of the St. Mary's Heritage Conservation District. If a property owner is inclined to restore or simply care properly for a building, the following information is available to assist the residents of the district. Also supplied is general information on building maintenance for those property owners who simply want to reduce the potential for costly repairs and extend the life of existing building fabrics.

The format of the section comprises descriptive guidelines and sample case studies to assist homeowners and the municipality. In the St. Mary's area, as in many other communities synthetic siding has been used to cover original cladding. This material while providing many maintenance free years may require replacement based on the degree of deterioration or age. These guidelines also provide guidance on how to restore former architectural wall claddings.

3.2 Conservation Practice

3.2.1 Conservation Practice Guidelines

This section provides advice and guidance on conservation practice and its application to heritage buildings. It should be used in conjunction with Part 2 of the St. Mary's Heritage Conservation District Plan and in the consideration of District permit applications.

3.2.2 Building Conservation

Maintaining buildings in good physical condition and ensuring viable and satisfactory uses are the cornerstones of conserving older heritage structures as well as more recently constructed properties.

The deterioration of building elements or materials is a natural phenomenon. It can be slowed down significantly by sound repair and maintenance or considerably accelerated by inadequate attention to such factors as water damage, paint failure differential settlement and so on. The process of *conservation*, which is the remedial measures necessary to prevent decay, must be used to promote the longevity of building materials.

Sound maintenance practice is the single most important technique in the promotion of good conservation.

Repair and maintenance is the minimum conservation action required within the St. Mary's district.

Importantly, repair and maintenance are the most effective actions required to maintain a building since it

often insures against harmful and irreparable damage and costly major repairs.

Generally, the conservation issues within the district relate principally to: the continuing maintenance, repair and restoration of building fabric; appropriate alterations and additions to existing heritage structures; and new construction.

For the purposes of this district plan and its use in the consideration of change and development within the St. Mary's district a number of terms are defined to aid the reader. These terms are drawn, in shortened form, from the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation, *Well Preserved*, (Mark Fram, 1988) and are described as follows:

Conservation:

An umbrella term that encompasses a broad range of activities aimed at preventing decay by wisely using heritage resources and purposely intervening to remove or obviate threats to those resources.

Preservation:

Preservation involves stopping, as permanently as possible, those processes contributing to the deterioration of a building or site and making essential repairs to keep it in its existing state.

Restoration:

Restoration is the recovery of the forms and details of a property as it appeared at a particular time by removing work of intervening periods and, where necessary, replacing or reproducing missing elements.

Reconstruction:

Reconstruction involves the re-creation of a vanished building or feature on its original site based on evidence from historical documents.

The following sections offer general guidelines on the maintenance, repair and restoration of heritage buildings within the district. The approach developed will allow and encourage property owners to choose the level of care which best suits their financial resources and their perceived ideas for the proper care of their property within this area of special architectural, historical and landscape significance.

3.3 Foundations

Sound and watertight building foundations are essential to the continued longevity of the district's structures. The early discovery of problems can normally be corrected inexpensively and efficiently. If problems are allowed to persist untreated, significant damage such as excessive settlement may occur.

Inspection and Maintenance: The importance of the regular inspection of basement and foundation walls cannot be over emphasized. Regular inspections should be completed at different times of the year and during different weather conditions. Using a flashlight look for signs of moisture, cracks, deflection of structural members, bulging, buckling, and crumbling mortar, wood in direct contact with soil and settlement. Settlement may take years to occur and normally does take place during the first years of the structure's life. Often older buildings that have settled reach equilibrium. However, changes in ground water levels, excessive spring runoff, earth movements, new tree plantings positioned too close to a structure and disconnected downspouts can result in further sub-surface destabilization of the structure and foundation. Basement renovations, which may entail underpinning to gain extra ceiling height, new additions and the construction of new buildings on adjacent properties, may also contribute to settlement.

Regular maintenance practices should ensure proper ventilation and structural integrity. Foundations and basements are particularly vulnerable to the lack of proper ventilation, which may contribute to fungal growth. Undetected growth can also cause stress through weakening sill plates or joist ends, which are fitted into masonry pockets. This may affect the integrity of the basement foundation and the above structural framework.

Termites and other insect infestations are another concern that should be monitored and corrected.

Not all small cracks or fissures in a foundation are serious trouble. The cracks can be monitored using simple measuring devices and photographs over time to provide information on the degree of movement.

Repairs: Repairs to foundation problems should be undertaken only after consultation with a professional engineer, building consultant or architect who has a knowledge of heritage buildings systems. Make repairs where possible using traditional building practices. This may for example mean not insulating interior basement walls to modern design standards. Make sure proper exterior drainage is in place and direct water away from the building. Grading the ground slope away from the building may complete this. Install drainage tiling if necessary to control excessive moisture. When excavating, remember there may be archaeological concerns that can occur. Excavate in short sections, repair and backfill. If deteriorated sills exist, the property owner may consider pouring a new shallow footing or reinstating a new sill. Use the opportunity when excavating or waterproofing to install exterior wall insulation rather than interior insulation.

Mortars and parging: Generally the guidelines for masonry restoration should be applied to any exposed external foundation walls whether they are brick or concrete block. Areas exposed to extreme environmental weather conditions at the lower foundation walling may require a slightly stronger masonry mortar to prevent accelerated deterioration. Refrain from parging exterior foundation walls with cementitious materials as a method of waterproofing. If additions or alterations are being considered it is worth examining methods of construction which spread the load uniformly onto an existing foundation wall or footing. Consolidation of a masonry wall may entail grouting. Seek expert advice and a qualified contractor to undertake the project. Use low sodium grouting mixtures to prevent efflorescence to brick or concrete block.

3.4 Structural Systems

Structural systems include the framework, walls and floors in buildings and often vary in size, shape and design. Techniques employed by different builders and designers and the local availability of building materials contribute to the variant construction methods and materials found in the district. Most buildings in Ontario are constructed with a wooden structural frame and a light cladding.

The most common form of brick construction throughout the twentieth century is brick veneer over a wooden frame. Brick veneer allowed for larger openings and accommodated the more complex plans. Concrete block faced structures are considered a twentieth century construction method.

Inspection and Maintenance: The type of construction used in the building should be determined before any repairs are carried out. This knowledge allows for the development of proper strategies for maintenance, repair and restoration. Knowledge of the construction method is also useful when designing additions and alterations.

Inspect and record structural stability problems. Note cracking, deflection, and fungal or insect attack; stabilize weakened structural members and systems with a method that can be repaired and reversed if necessary. The

existing structure system may also be supplemented when damaged or inadequate. Replacement wooden structural members should be replaced with the same or similar wood species, the same dimensions and structural capacity where possible.

In solid masonry structures the joist pockets and wood/masonry connections should be examined for deterioration and fungal growth due to moisture and lack of proper ventilation.

Repairs: Major repairs to the structural soundness of a building should be completed before work is undertaken on exterior cladding, or when new additions or alterations are being considered. Consideration should also be given to supplementing the existing structural system when it is damaged or inadequate.

Exterior Wall Cladding

The buildings of the St. Mary's Heritage Conservation District originally comprised clapboard sided buildings over a wood frame, brick veneer over frame or concrete block.

Concrete Block

The hollow concrete block is a twentieth century building material produced from a mixture of Portland cement and aggregates. The most common size is the standardized 8-by-8-by16 inch units, usually with two or three cores. The block ends are either flat or flanged. Lightweight aggregates were introduced in the 1930s and 1940s. Rockfaced block with a rough-cut surface that looked like quarried stone was extremely popular on exterior foundation walls. They were also used for exterior walls and as accenting pieces such as quoins and sills. The cracking of blocks is usually linked to shrinkage of the concrete or movement in the blocks or water. Spalling may be a result of problems in the mix, water penetration and/or mechanical damage. Efflorescence or the accumulation of salts on the block surface is generally caused by water. Concrete blocks can also suffer from an accumulating of staining and dirt.

Inspection and Maintenance: Walls should be examined for cracks, brick spalling, stains, leaks, mortar erosion, local distress, leaning or bowing, efflorescence and loose or falling building fabric. Priorize the work, which must be considered for repair and future maintenance, and take appropriate action.

In St. Mary's District a noticeable masonry problem is poor water drainage from downspouts. The repair of faulty downspouts assists in the preservation of sound masonry by saving it from the problems of winter freeze-thaw cycles. Guiding water away from the building is critical in preventing the saturation of masonry, which may result in the more serious problem of rising damp. The regular maintenance of brick cladding will help

preserve the building fabric and maintain the weather tightness of the structure.

Concrete Block

- Conduct a visual survey of the building identifying and noting location of patterns of cracking, spalling, water movement and other signs of deterioration.
- 2. Water movement through a wall results in efflorescence while water entering from the ground level results in rising damp. Deficiencies in drainage and flashing may be the cause of localized staining. A visual inspection during a rainfall can reveal patterns of water penetration, particularly for unpainted blocks.
- Repoint joints, occasionally recoat block surfaces where paint and clear sealants have been used, repair flashings and drainage systems to limit efflorescence.
- 4. The mortar used in repointing should match as closely as possible the historic mortar and be compatible with the block.
- 5. Unpainted concrete block may be cleaned with low-pressure water (400 psi or less) and a mild non-ionic detergent. Severe soiling may require chemicals or detergents in liquid or poultice form. Selection of the cleaner should be based on trial cleaning samples.

- 6. Test samples should be used to determine if painted concrete blocks can be cleaned without damage or removal of the paint.
- 7. Locate the source of movement before repairing cracks. Cracks along joints would be repointed. Hairline cracks may be repaired by the application of a surface coating that will repel water penetration. Wider cracks should be cut out ½ inch wide at the surface and undercut ½ to 3/4 inches wide at the back and ½ inch deep, cleaned, free of dust and dry, before repairing. Surfaces of the crack should be dampened before applying mortar.
- 8. A patch mix similar in colour and mix may repair areas of spalled original block.
- 9. Replacement block should match as closely as possible the original colour, shape, surface finish and texture of the original block.

Brick masonry

Repairs and Replacement: Masonry repairs to localized areas should match the original as closely as possible in size, colour, texture, surface treatment and strength for reasons of appearance and durability. With brick and concrete block it is critical that original mortar be examined for texture, colour, type of jointing and composition. New mortar should match the qualities of the original mortar as closely as possible.

Replacement brick should also be selected by its similarities to the type, unit size, colour, texture and composition of the original brick. Salvage brick can be used in areas where exposure to excessive weathering is not likely to occur. It is important to evaluate the strength and durability of "old" bricks when considering them for re-use. Do not employ the use of softer interior bricks for exterior masonry repairs. Concrete block should also be chosen for similar reasons of durability and compatibility.

Restoration: Major restoration work on masonry should follow the guidelines developed in the *Annotated Master Specification for the Cleaning and Repair of Historic Masonry*, available from the Ontario Ministry of Tourism, Culture and Recreation, Toronto. This guide provides an excellent source of information on the subject of masonry conservation and repair and is available at the Province of Ontario bookstore in Toronto.

Masonry Cleaning: The cleaning of masonry can be considered useful in the prevention of deterioration and the restoration of original appearance. The "good as new" appearance predicted by contractors usually means too aggressive an approach to cleaning is being recommended. Skilled operators experienced in cleaning heritage buildings should carry out all masonry cleaning operations during a frost-free period. Test patches should be completed on inconspicuous areas before any work is undertaken. Be wary of sandblasting in any circumstances and remember caustic chemicals used improperly can be harmful to the building and the environment.

Mortars and Repointing: Many mid-twenty first century masonry structures were built using more elastic mortars with a high lime and low cement content. Modern mortar is generally harder. Its use can be harmful for older buildings when employed with soft or friable masonry materials. A general rule with masonry repointing is to make sure the mortar is weaker than the surrounding masonry. It is easier and cheaper to repoint masonry walling rather than replace historic masonry units.

Repointing is required when it is badly deteriorated or when water penetration is a problem. Do not repoint old mortar sections in good condition. Always clean out deteriorated mortar with a hand chisel back to sound surfaces rather than using power chisels. The composition of the new mortar must match the qualities of the old in strength, colour and texture. Avoid the use of plasticizors or colourants.

Acceptable brick joints include: the flush; the semi-recessed; the rodded or thumbed joint; and the regular struck joint. Unacceptable joints include: the tucked joint; tuck beaded joint; ribbon; and buttered joint.

Wood Siding

Horizontal siding types in the district include clapboard with a tongue and groove or bevel application.

Inspection and Maintenance: Wood cladding should be inspected regularly and frequently for insect infestation and moisture penetration. Signs of deterioration include blistering and peeling paint. Areas particularly vulnerable to deterioration are corners and near eaves, downspouts and ground level. Structural stability should also be inspected.

Repairs and Restoration: Wood siding should be repaired wherever possible. Small cosmetic repairs or "dutchmen" should be carried out in wood or a combination of wood and glue. New replacement wooden siding should match the original in form, style, dimension, profile and method of installation.

Cornerboards should match the original in dimension and profile. The use of real board lumber - not waferboard - as a base should be encouraged. Selection of a skilled craftsperson to complete the installation of the materials is always recommended.

Synthetic Siding

 Wooden siding as well as brick or concrete block structures are often reclad in modern synthetic siding rather than renewing the original building material. In the case of a heritage building this can lead to changes to the exterior appearance of the structure. Synthetic siding alters the visual texture of the building and the architectural scale of a house by altering size and spacing of the original wooden siding or covering of concrete block and associated decorative detailing. Its application generally means the removal of decorative and other trim such as cornerboards, and window and door trim on frame structures. Decorative detailing such as lintels, door surrounds and quoins are normally covered over on masonry buildings as well. Synthetic siding is often nailed directly to the original building fabric or to additional furring strips on top of the original walling material. This may damage the original material. The inability of synthetic sidings to bend often leads to vertical placement in problem areas, spoiling the original design and symmetry of a historic building.

Repair: The application of synthetic siding also affects the general maintenance and repair of district buildings by contributing to moisture problems if applied over a building that requires repair prior to siding. It also prevents the inspection of the underlying building fabric. Synthetic siding tends to be prone to denting. It is not maintenance free and its insulation value is not high. Its use should not be encouraged

3.5 Roofing

Asphalt shingle is the preferred roofing in the St. Mary's district. Respect the original roof configuration, roofing materials and any architectural details such as dormers.

New roof features, i.e. skylights, vent stacks, chimneys, dormer windows should be located away from view of the front of the building or the public right-of-way.

Inspection and Maintenance: Assess the roof condition annually. Inspect for broken, loose or missing shingles, corroded, broken or loose fasteners or seams; and, the condition of the ridge flashing. Examine the substructure and the roof sheathing in the attic space for signs of structural stress, moisture and proper ventilation to prevent moisture, condensation and water penetration and insect infestation. Remove moss and remedy wet conditions if possible.

Rainwater gutters should be regularly cleaned to prevent backup and ice dams. Inspect all flashing for signs of fatigue and erosion and for corrosion failure due to atmospheric or galvanic action. Flashings around the chimney and dormers are often vulnerable to deterioration. Remove affected metal and replace in kind. When a sealant has failed due to expansion, age or improper application, clean all surfaces and replace the sealants as directed. A leaking roof should be protected until it can be repaired.

Repairs and Replacement: Repairs should be made before considering entire roof replacement. All repairs, even small patch repairs, should be carried out in a conscientious manner and match the original material. Substitute materials that do not convey the visual

appearance of the surviving parts of the roof or that are physically or chemically incompatible with the original roofing are not recommended. Bituminous patches should not be used since they are a temporary remedy and cannot be removed without replacing the roofing material below.

The selection of a modern or alternative roofing material should respect the colour, dimensions and texture as well as take into consideration the visual impact of the original roof on the streetscape. Asphalt shingle roofing should be replaced with basic colours such as red, green or black.

Place new vents or other new roof elements such as skylights in discreet locations, making sure that they are properly flashed and sealed.

Restoration: Colour, texture and dimensional qualities should respect the original roofing material. Buy the best quality shingles available, free from defects.

Chimneys: Chimneys are masonry roof features, which should be examined for stability and soundness annually. This includes making sure the flue liner is operating effectively and that the chimney cap is secure. The chimney flashing often fails in this area and may cause roofing material decay. Masonry chimneys should be repaired with the same method and approach discussed in section 3.4. Decorative chimney pots or covers should be maintained through repair or replacement in style, profile and dimension where possible. Chimneys must not

be simplified in rebuilding if original work or later extant work includes special detailing.

Unused chimneys should be capped with a metal cover and maintained. Often they provide a balance for the structure upon which they sit and complement an existing chimney. When rebuilding a former chimney that has been removed, consult older photographic images of the area before designing an appropriate chimney.

3.6 Windows and Entrances

Windows and entrances are important character-defining features. Both windows and entrances often exhibit a form of simple craftsmanship. Window elements include: frames, sash, muntins, glazing sills, heads, hood mouldings, jambs and mouldings, exterior shutters, etc. Entrance elements include: doors, rain roofs, small porches with steps, etc. The residences in St. Mary's Heritage Conservation District exhibit a variety of window and entrance treatments.

Inspection and Maintenance: The inspection and assessment of these features for deterioration are important. Windows should be made weathertight. The overall condition of the window and entrance elements should be regularly evaluated to determine whether repair is necessary. Maintain operable windows in working order. Repair any broken glass and repair any deteriorated or missing glazing putty.

Repairs and Replacement: Retention and proper repair of original window frames, sash, glass and door panelling are highly recommended. Badly decayed areas in an otherwise sound window or door should be repaired using compatible filler materials or appropriate joinery detailing. Retain existing glazing where possible and save door and window hardware during repairs. Never enlarge window or door openings or make them smaller since this has a negative effect on the heritage character of the building. The one exception is when an original size of the door or window opening is being restored.

Replacement wooden windows or doors should be completed in kind. Aluminum, coated metal or vinyl units are not recommended as replacements. A replacement window or door should match the original in style, shape, placement and be based on the use of historic photographs when available to meet the above criteria. Inappropriate doors and detailing should not be used. Double glazed wood window replacements may be considered for rear or side facades that are not visible to public view or to replace synthetic windows.

Restoration: When restoring a building to its original appearance, new replacement sash should maintain the muntin profile and dimensions of the original window. Try to make double hung windows work properly. Storm windows and doors are also heritage features and should be used when appropriate.

Entrances often exhibit well executed, good craftwork. The retention of these entrances is desirable and worthy of restoration through proper conservation techniques.

3.7 Exterior Paint

Inspection and Maintenance: Painting is the most common form of maintenance and decoration work completed by property owners. The renewal of painted exterior surfaces on an eight to fifteen year period is a generally accepted practice, contingent upon local environmental conditions.

Repairs: Paint renewal should be considered only after a thorough inspection of the surface. Look for signs of mechanical wear, cracking, scaling, peeling, blistering, loss of gloss, soiling, chalking or mildew. Prepare surfaces properly when repainting. Realize that new paints will bond poorly to old paints if sanding, scraping and the use of a good primer coat do not prepare the surfaces. Since paint adheres poorly to burnt wood, it is not advisable to use a blow torch for removal. Always take precautions when removing toxic lead based paints.

Choose a colour scheme that is sympathetic to the structure and its design elements as well as the neighbourhood. Original paint colours may be exposed when removing old paint from historic buildings making it possible to match these earlier colours. Attention should

be paid to how door and window trim will be treated. Generally, the colour schemes employed in the district were simple. White, green and dark brown were often used for wartime housing with dark green as a common colour for trim.

Restoration:

When restoring period colour schemes make matches with dry samples. Remember not to confuse a prime coat with finish colours.

3.8 Energy Conservation

Most energy conservation measures for buildings have been developed for new construction. This poses a problem for the owners of older residential buildings since older heritage structures can be adversely affected by some of the measures or products used in the search for a better, more energy efficient structure. A booklet published by the Ontario Ministry of Culture and Communications, Heritage Energy Conservation Guidelines, provides useful information on how to respect an older building's architectural merits while upgrading the energy of efficiency and comfort of the structure.

Good energy conservation principles can be practiced in older buildings successfully when an appropriate approach is taken. First, the owner of a heritage building must accept their building will never be as energy efficient as a new structure. Second, it is important to understand the inherent energy conservation measures built into our older buildings and make use of them where they exist. Third, consider energy conservation measures, which have less impact on the heritage features yet, raise the comfort level, i.e. air sealing, weatherstripping and caulking, attic and basement insulation and proper heating plant operation.

One building element often considered for improved energy conservation efficiency is the window. Original wood windows should not be replaced with double glazed metal or metal clad wood windows. The payback period is often lengthy and cheap metal windows seldom contain the proper thermal breaks. Making older windows function properly through repair, such as proper reputtying, frame and trim caulking, weatherstripping and proper painting is considered preferable to replacement. The same considerations apply to original wooden doors and entrances. When replacing windows and doors choose good quality wood products. Try to avoid vinyl-clad windows as replacement units.

The issue of installing double glazed wood windows is often raised as an option when major window repairs are required. Double glazed windows have a different visual reflective value and tend to appear blank in daylight conditions. The muntins in double glazed, multi-pane windows are also always thicker. Modern high quality

single glazed units are well sealed and can be made twice as effective with the use of the original storm windows.

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3.9 Case Studies

3.9.1 RESIDENCE (FRAME, ONE-A-HALF STORIES)

- 1. Replace roofing with similar style asphalt shingles.
- 2. Original siding should be inspected for cracking or loose fasteners. Split clapboard siding should be replaced with the same wood material in the same profile and dimension. Keeping the material painted and sealed will add to more maintenance free years of service. Proper cleaning and preparation of surfaces are key to the success of paint adhering to wood surfaces.
- 3. Decorative woodwork around door and window frames or fascia boards should be inspected for deterioration. Replacement woodwork should be of the same profile and dimension. Missing wood elements may require some study of similar properties. Woodwork should be primed and painted to seal the surfaces.
- Check for deterioration periodically to prevent deterioration of wood elements.
 Enclosing or the removal of an existing porch is not recommended.
- 5. Windows are major design elements. The care of existing original windows will require patience and skill. Original glass often has imperfections that add character to the glass. From time to time the reputtying of the window is recommended when cracks or missing sections are evident. Wooden storm windows provide good insulation value and should be considered in lieu of windows made

- from synthetic or metal materials. New wood windows are another option if double glazing is required.
- 6. Keep the foundation and perimeter plantings away from the face of the buildings and elements such as porches to limit excess moisture from harming architectural features. Make sure rainwater leaders are directed away from the base of the buildings.
- 7. The chimney cap on this building was typical for veteran housing built in Southern Ontario and is a defining architectural feature. Efforts to retain these features are worthwhile.



3.9.2 RESIDENCE (CONCRETE BLOCK)

- 1. Downspouts from the roof eavestroughs should be directed away from the base of the building to protect the foundation from potential settlement.
- 2. Original windows are important character defining architectural features. Original multiplane glass often has imperfections that add character to the glass. From time to time, the reputtying of the windows is recommended when cracks or missing sections are evident. Wooden storm windows provide good insulation value and should be considered. New wood windows are another option if double glazing is required.
- 3. There are a number of concrete block buildings in the district. Concrete block is considered a durable exterior masonry cladding. Repoint the mortar joints where water penetration is a problem. Fix any water problem first before repointing. The repointing should match the original joint profile, texture and mortar mixture if possible. Small cracks can be repaired with a fine surface coating to prevent water penetration. Deep cracks should be cut out and filled with new mortar.
- 4. Replacing concrete block units that are not a standard size may prove difficult. Preservation of existing units is important.
- 5. Cleaning concrete block depends on the condition of the material and finish of the material. Soiling

should be removed by the gentlest methods such as low pressure water cleaning combined with a mild non-ionic detergent in warm weather. Abrasive sandblasting or high pressure water or chemical cleaning are not recommended



3.9.3 RESIDENCE (BRICK)

- 1. Replace roofing with similar style asphalt shingles. Where dormers exist make sure the flashing is secure.
- 2. The small profile chimney on this building was typical for veteran housing built in Southern Ontario. Efforts to retain these features are worthwhile.
- 3. Original windows are important character defining architectural features. Original multiplane glass windows add character to a residence. From time to time, the reputtying of the windows is recommended when cracks or missing sections are evident. Wooden storm windows provide good insulation value and should be considered. New wood windows are another option if double-glazing is required.
- 4. Replacing brick units that are not a standard size may prove difficult. The preservation of existing units is important. To prolong the life of brick masonry make sure the mortar joints are in good repair. Missing or deteriorated mortar joints should be repaired with mortar of a similar strength. It should match in colour, profile and aggregate mix.
- Cleaning brick masonry depends on the condition and degree of soiling. Soiling should be removed by the gentlest methods such as low pressure water cleaning combined with a mild non-ionic

- detergent in warm weather. Abrasive sandblasting or high pressure water or chemical cleaning are not recommended
- 6. Downspouts from the roof eavestroughs should be directed away from the base of the building to protect the foundation from potential settlement.
- 7. Keep the foundation and perimeter plantings away from the face of the buildings and elements such as porches to limit excess moisture from harming architectural features.



4.1 Introduction

The St. Mary's Heritage Conservation District has a very distinctive landscape character, rich in vegetation and open space. This character complements the small and simple housing forms of the proposed Heritage Conservation District, creating a distinctive, comfortable and inviting residential neighbourhood.

Several character defining and significant landscape features and amenities exist within the proposed Heritage Conservation District and have been described more fully in the St. Mary's Heritage Assessment Report. These include:

- Parks and open space
- Street trees
- Framed view lines
- Grass boulevards and sidewalks

The responsibility for the important landscape features within the proposed Heritage Conservation District, is shared between the public realm and the private property owner.

The following conservation guidelines are intended to guide decision making by public and private property owners. The guidelines are based on an understanding of the importance of maintaining and enhancing the significant existing landscape features within the St. Mary's Heritage Conservation District.

4.2 Summary of Existing Conditions

The St. Mary's Neighbourhood Heritage Conservation District is a very homogenous residential area with few, if any, land uses other than residential. Within its boundaries is a considerable amount of open space in the form of parkland, traffic islands, central boulevards, wide grass boulevards and a remarkably diverse variety of mature and full canopied street trees. Refer to the Landscape Analysis, Appendix 1 of the Heritage Assessment Report for a complete profile of the landscape features within the proposed Conservation District. Coniferous and deciduous specimen trees, hedges, shrub and perennial borders and lawns can be found primarily in the front yards. In some instances, residential landscaping efforts have extended to the boulevards where street trees are encircled by decorative borders, perennials and/or colourful annual plant materials.

4.2.1 Landscape Structures

Front yards in the proposed Conservation District are open to the street, most having no fence or hedge between the sidewalk or street and the lawn of the private residential front yard. Fences are more commonly used to delineate side and rear-yards. These fences are primarily chain link or decorative painted wood fences. A variety of fence designs can be found, from very open to solid, high privacy fences. In some cases, hedges are used or in combination with a fence.

In some areas, changes in grade between front yards and the sidewalk necessitate low retaining walls. These walls are approximately 45cm to 60cm (eighteen inches to two feet in height) at properties located on Norfolk Crescent as well as on the southern ends of Pleasant Avenue and St. Clair Avenue. These retaining walls can be found to be made of various types of timber ties, mortared brick and precast concrete units.

4.2.2 Boulevards

A boulevard is the space between the edge of the roadway and the sidewalk. Boulevards within the proposed Heritage Conservation District are consistently grassed, appearing to be in a healthy condition (although in some locations dry) at the time of inventory.

In the eastern portion of the neighbourhood, sidewalks occur on at least one side of each street if not both. Some streets, such as St. Clair Avenue, have concrete curbing, while Spadina, Glen Road (East) and others have only an asphalt gutter. The western portion of the study area, Binscarth, Glen Road (West) and Perth Road are consistently without curbs. Minor asphalt patching of the gutter has been completed throughout the study area, and the asphalt surface of Perth Road was noted to be particularly in poor condition.

4.2.3 Sidewalks

Concrete sidewalks exist throughout the proposed Conservation District and range in width from one to one and a half metres wide. For the most part the concrete sidewalks are in a reasonable and useable condition. Several residents reported regular spring flooding of sidewalks and gutters. All streets have a minimum of one side possessing a sidewalk and most streets in the Heritage Conservation District have sidewalks on both sides.

4.2.4 Building Setbacks

The setbacks of the houses vary, ranging from as shallow as five metres to as deep as twelve metres (sixteen to forty feet). The setbacks tend to be fairly consistent by block, throughout the Heritage Conservation District.

4.2.5 Utilities

The most visible utility in the study area is the overhead power lines. Most are strung between wooden poles set in the boulevards, some requiring guying. Many mature trees show signs of harsh pruning to avoid conflicts with the power lines. In some areas, these overhead wires cross the streets multiple times.

4.2.6 Parking

Driveways are generally single car width. Many are shared between two residences and become wider as they pass beyond the property line. Typical materials are concrete, asphalt or natural coloured aggregate. Most driveways will accommodate 2 cars, parked one behind the other and many terminate in a detached single garage. Some homes have been modified to include a open car port to house one of the cars parked in the driveway.

Daytime street parking is utilized throughout the district although not heavily, allowing the trees to dominate views along roadways. Street parking regulations vary from street to street and along streets without curbs, vehicles parking along roadsides were noted to frequently encroach on the grassed boulevards.

4.2.7 Roadways

The streets within the proposed Heritage Conservation District are predominantly quiet local streets, receiving light to moderate use. Pleasant Avenue, Glen Road, St. Clair Avenue and Spadina Road appear to receive the most traffic.

The streets appear visually narrow due to the large overhead canopy of the trees, with the exception of the intersection of St. Clair Avenue and Glen Road. This location appears particularly spacious as the traffic island is planted with young trees, which have not grown sufficiently to create the canopied character found elsewhere in the proposed Conservation District.

Concrete curbing is not consistent throughout the proposed Heritage Conservation District. St. Clair Avenue, Glen Road (inconsistently), Norfolk Crescent, Lorne Crescent and Seneca Drive are all curbed, the other streets in the proposed Heritage Conservation District possessing grassed boulevards that gently meet asphalt gutters at the edge of the roadway.

4.2.8 Viewsheds

Views are generally contained by the tree canopies which determine whether the view will be wide (Norfolk Crescent) or narrow (Lorne Crescent). Curves in the roadways often terminate views originating from the end

or midpoint of streets. The views are long along less curvilinear streets (Spadina and Glen Roads) originating at one end of the street and terminating at the opposite end.

4.3 Landscape Conservation Guidelines

The following guidelines focus on different areas of responsibility:

- existing built private properties
- public realm responsibilities including streets, parkland, walkways between streets and boulevards

The guidelines are based primarily on the analysis of the character defining features of the existing landscape.

The landscape within the St. Mary's Heritage Conservation District although made up of a variety of components creates a cohesive visual quality that unifies this distinctive area. Ensuring the perpetuity of the unique, forested character of this neighbourhood will be dependent on fostering the fine balance between the repetition and the scale of the homes and trees. It is important that the landscape components described previously be retained and managed in a way that continues to link all component features. It is also equally important that where new landscape elements are to be added to the St. Mary's environment that they should be incorporated in a

manner that enhances and complements the existing landscape character.

4.3.1 Guidelines for private properties

- Property owners are encouraged to retain and preserve existing shrubs, foundation plantings, hedging, ornamental fencing and retaining walls along the sideyards and frontages.
- New trees and shrubs added to front yards should be selected from the species of trees already found in the neighbourhood (except Norway Maple and Manitoba Maple-Acer platanoides and Acer negundo, which are not suitable for replanting):

Shrubs

Forsythia spp.	Forsythia
Hydrangea spp.	white flowering varieties such as 'Annabelle', 'Peegee' and 'Snowhill'
Spiraea prunifolia	Bridalwreath spirea
Syringa vulgaris	common lilac
Wiburnum spp.	Viburnum
Ribes alpinum	Alpine currant
Caragana	Pea shrub

Trees

Acer saccharum

sugar maple

Acer rubrum

Red Maple

Acer saccharinum

Silver maple (including cutleaf

varieties)

Catalpa speciosa

Northern Catalpa

Fraxinus americana

White Ash

Juglans nigra

Black Walnut

Malus spp.

Flowering Crabapple

Picea abies

Norway Spruce

Picea pungens 'Glauca'

Blue Colorado Spruce

Prunus virginiana 'Schubert'

Schubert Chokecherry

Sorbus aucuparia

European Mountain Ash

Syringa reticulata 'Ivory Silk'

Ivory Silk Lilac

Thuja occidentalis

White Cedar

Tilia americana

Basswood

Tilia cordata

Little Leaf Linden

Ulmus pumila

Siberian Elm

- Garages and sideyard parking should be retained and ideally set back from the front line of the houses.
- Where possible, historic photos should be used to guide the re-establishment of landscape features such as fences, gates, and arbours. Appropriate hedge species include yew, cedar, privet, alpine currant, and lilac.
- Driveways should be narrowed at the boulevard and should ideally be separated from the adjacent lot driveway by a green space to reduce the visual impact of the hard surface crossing the boulevard.

4.3.2 Guidelines for public realm initiatives

The municipality is responsible for the public works within the road right of way and for the open space parkland within the St. Mary's Heritage Conservation Conservation District. The planting and maintenance of the street trees makes a significant contribution to the heritage landscape character of the proposed Conservation District, particularly in the residential and commercial areas.

The majority of street trees are mature, wide canopy deciduous trees - primarily Silver maple, Red oak, Sugar maple, Horse chestnut, Catalpa, Ash, and Mountain ash. These species have green foliage in the summer with colourful reds, yellows, and golds in the fall season. More

recent additions to the street tree collection include red leaved Crimson King maple, Norway maple and flowering Crab apples. These species even when mature will not duplicate the size or character of the existing streetscape and should not be planted in the boulevard.

Therefore, it is recommended that:

· As street trees mature they should be replanted and where possible the new trees should be large canopied, green foliage deciduous trees. No further planting of Norway 'Crimson King' (or other variety of Norway) maple or flowering crabapples is recommended. Elms would be a good choice for street or central boulevard tree, in keeping with the existing character of the neighbourhood, and some of the newer, Dutch Elm Disease-resistant varieties may prove suitable in future.

The following trees are presently suitable as street trees in the Heritage Conservation District, especially for the wide central boulevard planting locations:

Acer saccharinum	Silver maple (including cutleaf varieties)
Acer saccharum	Sugar maple
Aesculus hippocastanum	Horse chestnut
Carpinus caroliniana	Ironwood
Catalpa speciosa	Northern Catalpa
Fraxinus americana	White Ash
Fraxinus pennsylvanica	Green ash
Gingko biloba	Ginkgo (male only)
Gleditisia triacanthos var. inermis	Honey locust
Gleditsia triacanthos var. inermis 'Sunburst'	Sunburst honey locust
Juglans nigra	Black Walnut
Prunus virginiana 'Schubert'	Schubert Chokecherry
Sorbus aucuparia	European Mountain Ash

Trees

- Existing trees should be monitored on a regular basis to ensure that they remain healthy. Pruning of dieback, fertilization and pesticide treatments should be undertaken as required to preserve the existing trees.
- Undertakings such as road widenings and installation of new underground services or overhead utilities should be assessed prior to the start of construction to determine if they will negatively affect the existing street trees.
- Changes to driveway entrances and parking areas on private property should be carefully planned to ensure that compaction of the street tree root system does not occur. Generally, an area around the base of the trees equal in diameter to the crown of the tree should remain undisturbed to protect the long term health and survival of the tree.
- New sidewalks should be constructed to match the width of the existing walks.
- Boulevard parking, excessive curb cuts and paving of public boulevards by adjacent private property owners should be avoided in order to retain and preserve the grassed boulevards.



The existing full canopied trees and the wide grass boulevards should be preserved to maintain the framed view along the street.



New large canopy street trees should be added where missing.



The passive parkland should be maintained with its mix of open turf areas and specimen shade trees.



The open space and parkland is a significant part of the neighbourhood. These areas should be retained to continue to provide a neighbourhood level of active recreation facilities.



The wide landscaped medians and island are a unique feature which should be retained and missing trees should be replanted with species similar to the existing trees.



Large canopy, green leafed trees characterize the vegetation found on the landscaped medians and boulevards.



New trees should be selected from the list of species traditionally found in the District.



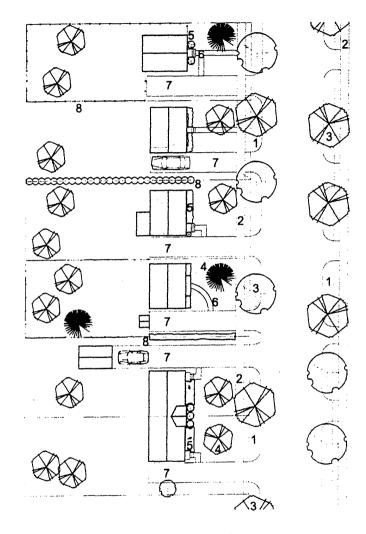
The variety of trees in the District includes deciduous and coniferous trees on both private and public property. Continuation of this diversity is encouraged.



The width and curvilinear alignment of the street system should be retained.



The grass boulevard, large canopy street trees and wooden hydro poles should be retained throughout the district and restored if impacted by upgrading of infrastructure.



<u>Illustrated suggested components of private residential landscape conservation</u>

KEY:

- 1 Grass boulevard
- 2 Concrete sidewalk
- 3 Municipal street tree (see suggested list, Part 4)
- 4 Small tree/large shrub in front yard (see suggested list, Part 4)
- 5 Simple shrub/perennial foundation planting
- 6 Front entrance walkway, usually concrete
- 7 Single lane driveway
- 8 Hedge or fence to delineate shared property lines

PART 5: PLANNING AND IMPLEMENTATION

5.1 Background

The successful maintenance and protection of a designated heritage conservation district relies in part on ensuring that local planning policies and initiatives support or provide a suitable framework for realistic conservation measures anticipated in the implementation of a heritage conservation district. Many "heritage issues" are usually planning issues that often have profound impacts on valued heritage features.

The Official Plan and Zoning By-law are generally supportive of, or complementary to, the protection and conservation of the overall character of the district and its heritage attributes. Accordingly no major changes are recommended.

In order to refine and direct the conservation and development of the St. Mary's Heritage Conservation District a number of matters are identified which require minor changes or modifications to existing zoning provisions and planning policies. These are addressed in the following sections. Additionally this section also makes a number of recommendations about future options for initiating complementary measures for protecting the character of the St. Mary's Heritage Conservation District.

5.2 Provincial Policy Statement provisions

One of the purposes of the *Planning Act* is: "to integrate matters of provincial interest in provincial and municipal planning decisions". [Subsection 1.1(c)]. Section 2(d) of the *Planning Act* provides an explicit and direct concern with:

"the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;"

This provides the context not only for discrete planning activities detailed in the Act but also for the foundation of policy statements issued under section 3 of the Act. A Provincial Policy Statement approved on May 22, 1996 and revised in February 1997 indicates in Part IV. Implementation/Interpretation that:

1. The Provincial Policy Statement came into effect on the date of proclamation of Bill 20, and applies to all applications submitted after that date. Planning authorities "shall have regard to" the policy statement in making decisions on all applications submitted on or after the proclamation date, and to all applications which were commenced on or after March 28, 1995 and in respect of which no decision had been made on the date of proclamation...

2. These policies are to be applied in dealing with planning matters. Official Plans will integrate all applicable provincial policies and apply appropriate land use designations and policies. Since the policies focus on end results, the official plan is the most important vehicle for the implementation of the Policy Statement.

Those policies of particular relevance for the conservation of heritage features are contained in Section 2, Resources, wherein subsection 2.5, *Cultural Heritage and Archaeological Resources*, makes the following provisions:

5.2.1 Significant built heritage resources and cultural heritage landscapes will be conserved.

A number of definitions that have specific meanings for use in a policy context accompany the policy statement. These definitions include "Built heritage resources", and "cultural heritage landscapes".

"Built heritage resources": means one or more buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community.

"Cultural heritage landscape": means a defined geographical area of heritage significance which has been

modified by human activities. Such an area is valued by a community, and is of significance to the understanding of the history of a people or place.

In addition, "Significant" is defined and is assigned a specific meaning according to the subject matter or policy context in which it is used, such as wetlands or ecologically important areas. Cultural heritage landscapes and built heritage resources are considered an "other matter", and the following definition of "significant" applies: in regard to other matters, important in terms of amount, content, representation or effect.

Accordingly, all planning actions, initiatives and decisions must now be consistent with the conservation of heritage features, regardless of whether an area is designated as a district or not. Clearly the designation of a heritage conservation district and the adoption of policies, guidelines and other measures is a proactive initiative. It constitutes a consistent, sensitive and coherent means of corporate municipal management of valued heritage features. The St. Mary's Heritage Conservation District has a variety of historical associations, architectural attributes and landscape qualities. This area warrants formal recognition as a significant cultural heritage landscape, regardless of provisions under the Ontario Heritage Act. (See summary description in Section 1.2).

Accordingly the following recommendation is made:

Recommendation 1

It is recommended that the City of Kitchener formally recognize the *St. Mary's Heritage Conservation District*, specifically the proposed heritage conservation district as a significant cultural heritage landscape for planning purposes within the municipality.

5.3 Land use

Zoning Maps 89 and 90 zone the heritage conservation district into two residential zones: Residential Four Zone (R-4) and Residential Five Zone (R-5) The R-5 zone is more permissive than R-4 allowing lodging houses and multiple dwellings.

To consistently safeguard the character of the St. Mary's Heritage Conservation District it may be beneficial to zone the entire St. Mary's Heritage Conservation District as Residential Four Zone (R-4). Accordingly, the following recommendation is made:

Recommendation 2

It is recommended that the City of Kitchener consider amending the zoning of St. Mary's Heritage Conservation District to reflect its existing built heritage and residential character as Residential Four Zone (R-4).

5.4 Height

It has been noted in the Heritage Assessment Report that the majority of dwellings in the St. Mary's Heritage Conservation District are predominantly one to one-and-a-half storeys in height. Accordingly, the overall character of St. Mary's Heritage Conservation District is one of low profile development.

In all zones, the maximum permitted building height is 10.5 meters (approximately 34 feet or three stories in building height). This appears excessive in relation to the existing character of development. The permitted building height in the zoning provisions has the potential to create tall buildings, such as the construction of a flat-roofed, three-storey building, that would be out of keeping with many of the smaller dwellings.

Recommendation 3

It is recommended that in order to assist in the implementation of the City's Official Plan policies and in the application of the St. Mary's Heritage Conservation District heritage guidelines that consideration be given by Heritage Kitchener, City Planning staff and City Council to amending provisions of the Zoning By-law within the St. Mary's Heritage Conservation District to permit a maximum building height of 8.0 meters (approximately 2 stories in building height) in all zones. This should be

complemented by allowing variances to side yard and rear yard set backs to permit development.

5.5 Protecting trees

The St. Mary's Heritage Conservation District is graced by a number of trees in a variety of configurations on private and public property. Many contribute to the scenic and visual interest of the area with tree-lined sidewalks, pathways and front yards. District designation under Part V of the Ontario Heritage Act does not extend protection to these important landscape features. Provisions in the Municipal Act, however, do provide for the conservation and protection of trees within the road right-of-way. Section 312(4) of the Act states that:

The council of every municipality may pass by-laws... (c) for preserving trees;

(d) for prohibiting the injuring or destroying of trees;

Section 223.2(1) of the *Municipal Act* also provides that the council of a municipality, having a population exceeding 10,000 may pass by-laws for: (a) prohibiting or regulating the injuring of trees or any class of trees specified in the by-law in any defined area or on any class of land; (b) requiring that a permit be obtained for the injuring or destruction of trees specified in the by-law and prescribing fees for the permit; and (c) prescribing circumstances under which a permit be issued.

The City of Kitchener has a by-law pursuant to the *Municipal Act* that authorizes the regulation and planting of trees, as well as their preservation and protection on the public road right-of-way. Given the importance of these features in the landscape of the *St. Mary's Heritage Conservation District*, continued protection should be extended to these important natural features.

The municipality, or any person, utility company or public authority contemplating actions that would affect street trees, namely tree removal, pruning and tree planting, should not only comply with the by-law but also consider the policies of the St. Mary's Heritage Conservation District guidelines

Recommendation 4

It is recommended that Heritage Kitchener may wish to advise the City on the appropriateness of adopting a comprehensive tree by-law for **all** lands within the St. Mary's Heritage Conservation District.

5.6 Implementation measures

Aside from the preparation and adoption of a heritage conservation district guidelines and heritage planning initiatives, successful implementation of district conservation also relies on a variety of complementary initiatives. Key amongst these are the enthusiasm and

cooperation of individual property owners in protecting and maintaining the heritage building stock of the district.

The availability of limited funding through grants or loans may also provide additional incentives and impetus to sensitive and respectful conservation. The guidelines contained in previous sections are also important in acquainting owners with some of the issues inherent in conservation practice as well as providing advice on how best to protect the special character of the area.

The following describes those actions and procedures that will also assist in implementing the district guidelines over the coming years. It should be noted that situations or occasions may occur where it may be prudent to review the effectiveness of a particular procedure or requirement. Appropriate action should be taken to address these issues as they arise and amend procedures accordingly.

5.6.1 Permit approvals

Under section 42 of the *Ontario Heritage* Act a permit is required for the erection, demolition, removal or external alteration of a building or structure within the designated district. Only Council is authorized to make decisions respecting such permits.

The Act defines the term "alter" as meaning: "to change in any manner and includes to restore, renovate, repair or disturb and "alteration" has a corresponding meaning."

While permits for a new building or structure are clear, the requirement for a permit for an alteration to an existing building is less clear. For the purposes of these guidelines, alterations or changes for which Section 42 permits are required are those alterations that would materially or substantially affect the character or external appearance of a building, most notably on those facades or sides of buildings that are prominent from the road, street or other public view.

Items of routine maintenance do not require a permit.

A guide to those physical alterations, additions and conservation work that generally require a permit are described in the previous guidelines on alteration and additions and in Table 1.

Applications for alterations are required under the *Ontario Heritage Act* to be submitted to municipal council and considered within ninety days of submission. Council may approve; approve with conditions; or deny the requested permit. Appeals to the Ontario Municipal Board by an applicant may be registered within thirty days.

Demolition of a property cannot be refused by municipal council but may be delayed for up to 270 days and until the applicant has obtained a building permit to erect a new building.

The following describes the City's heritage district permit application process:

 Inquiry to the Heritage Planner to confirm whether the proposed work requires a heritage district permit.

- If the proposed work requires a permit, the owner shall complete a Designated Heritage Property Alteration/Demolition Application Form and submit it to the Heritage Planner.
- Heritage Kitchener considers the application. The owner is encouraged to attend the meeting.
- Owner is informed of the Heritage Kitchener recommendations.
- City Council considers the Heritage Kitchener recommendations.
- Owner may appeal the Council decision to the Ontario Municipal Board.

The Heritage Planner for the City of Kitchener is available to assist applicants so that the application may be processed as quickly and as efficiently as possible. A copy of the Designated Heritage Property Alteration/Demolition Application Form is located at the end of these guidelines.

In order to provide for an expeditious review of changes within the district, property owners should consult with Heritage Kitchener and City staff informally and at the earliest opportunity. Guidance on sympathetic alterations and favourable conservation initiatives will be found in the guidelines provided in these district guidelines. Some alterations and additions will require a building permit under the *Building Code Act*. Building permits will be

processed through the Building Department but circulated for comments and approval by Heritage Planning staff.

All district permits affecting the external appearance of a building required within the conservation district will be processed through the City Planning Department. (No fee will be charged.) The city has an established permit application process and no changes are recommended.

5.6.2 Planning and development applications

In some instances building or district permits within or adjacent to the district may be preceded by applications for a planning approval pursuant to the *Planning Act*, e.g., severances, minor variances, etc. These may have the potential to affect the character of the district. It is important that appropriate heritage planning input be gained at the earliest opportunity, prior to any approvals that may compromise consideration of a district permit, later in the process.

Recommendation 5

It is recommended that where any application or proposal for one of the following is located within, partially within or adjacent to the designated district:

- a variance or a consent;
- zoning amendment;
- road widening;

 any public works and improvements by a municipal authority or local utility.

that the municipal heritage planner and Heritage Kitchener will be consulted and provide advice on the appropriateness of the application given the intent of the municipal Official Plan, Zoning by-law and specifically the St. Mary's Heritage Conservation District Guidelines.

5.6.3 Monitoring the Guidelines

The District Guidelines are not static. They will be monitored by the Heritage Kitchener and staff to ensure that the stated objectives are being achieved. If the heritage district experiences extensive loss of historic features under the provision of the conservation guidelines, the guidelines may be amended by by-law only after consultation with and amendment circulation to affected property owners. Minor administrative and housekeeping changes to the Guidelines may be implemented by resolution of City Council.

5.7 Traffic management

One of the issues raised by several residents at public meetings was the concern about excessive traffic volumes and the perceived high rate of speed through the neighbourhood. It is beyond the scope of these

guidelines to examine and propose detailed traffic management schemes for the heritage conservation district, particularly as they may affect traffic patterns beyond the boundaries of the district. Observations can be made with respect to traffic calming measures that the community wish to pursue in the future as part of a broader initiative.

Traffic calming is the way in which traffic can be slowed through residential areas. Calming may be achieved either by traditional traffic management schemes or by the placement of physical features or objects into the paved road right-of-way.

Traditional traffic management calming schemes involve the posting of reduced speeds or other signage provisions. For effective management these often require regular policing measures to ensure enforcement.

The placement of physical features, (such as ramps and speed bumps) into the roadway is an alternative to signage or active policing measures and is designed to achieve speed reduction by slowing traffic with object or barrier placement. Ramps, for instance, placed across the road provide not only for prominent pedestrian crossing but also act as substantial speed bumps thus slowing vehicles. Sidewalks may also be extended laterally into the right-of-way to provide narrowing of the pavement or restricted "gateways" into a neighbourhood. Restrictive

narrowing is claimed to slow traffic by altering the perception of actual speed. Many of these physical obstructions, however, are perceived either as nuisances by local users of the streets or cumbersome features that impede snow removal and ploughing in winter months. As well, many of the traditional traffic calming devices may affect the historic streetscape and their design and placement must be carefully considered within the heritage conservation district.

The thrust of these guidelines is aimed at managing change of the heritage building stock and valued elements of the public realm landscape. Any traffic calming measures or new traffic management scheme must be planned within the larger context of travel patterns in the community and must be considered more a component of traditional neighbourhood or local planning that heritage planning.

Recommendation 6

It is recommended that the City of Kitchener and Heritage Kitchener initiate further detailed study of traffic calming measures within the St, Mary's heritage conservation district and surrounding area.

TABLE 1: TYPES OF EXTERIOR ADDITIONS AND ALTERATIONS PERMITTED OR REQUIRING A MUNICIPAL PERMIT

EXTERIOR ALTERATIONS AND ADDITIONS	PERMITTED IN HERITAGE DISTRICT	BUILDING PERMIT REQUIRED	HERITAGE DISTRICT PERMIT REQUIRED
Interior alterations	Yes	Yes if structural	No
Continuing maintenance or small repairs that do not significantly affect external appearance such as soffit replacement	Yes	No	No
Installing storm windows and doors weather stripping or concealed insulation eaves trough or down spout replacement	Yes	No	No
Painting except for exterior masonry such as previously unpainted stone or brick.	Yes	No	No
Painting of doors, windows, trim or architectural detailing	Yes	No	No
Painting of painted stucco or wood siding	Yes	No	No
Installation of number and name signage on residences	Yes	No	No
Installation of porch lighting or other security lighting	Yes	No	No
Installation of eavestroughs	Yes	No	No
Installation of downspouts	Yes	No	No

^{*} With respect to any alteration that does not require a heritage permit but may result in a noticeable change the applicant/owner should consult the technical and design advice in the district guidelines as well as consult with City staff and Heritage Kitchener.

Archaeological Services Inc.
Built Heritage, Cultural Landscape and Planning Section
L. Alan Grinham Architect Inc.

TABLE 1 (CONTINUED) EXT. OR ALTERATIONS AND ADDITIONS	MITTED IN HERITAGE DISTRICT	BUILDING PERMIT REQUIRED	HERITAGE DISTRICT PERMIT REQUIRED
Installation of storm windows or doors	Yes	No	No
Installation of replacement windows or doors in existing openings	Yes	No	No
Installation of seasonal, temporary canopies and awnings of canvas material	Yes	No	No
Installation of replacement stairs or steps	Yes	Yes	No
Installation of decks at rear of buildings not on corner lots Building Permit required if over 2' high and roofed	Yes	No Yes	No
Other similar minor alterations or changes that do not require a building permit.	Yes	No	No
Installation of satellite dishes	Yes	No	No*
Installation of fixed canopies and awnings of canvas aluminum and like material *No Building Permit required if wall support only *Building Permit required if Column supported	Yes	*	No*
Installation of synthetic siding on existing structures without aluminum siding	Yes	No	No
Application of stucco on existing non-stuccoed structures	Yes	No	No*
Application of any masonry veneers to existing structures	Yes	Yes	No*

^{*} With respect to any alteration that does not require a heritage permit but may result in a noticeable change the applicant/owner should consult the technical and design advice in the district guidelines as well as consult with City staff and Heritage Kitchener

Archaeological Services Inc.
Built Heritage, Cultural Landscape and Planning Section
L. Alan Grinham Architect Inc.

TABLE 1 (CONTINUED) EXTERIOR ALTERATIONS AND ADDITIONS	PERMITTED IN HERITAGE DISTRICT	BUILDING PERMIT REQUIRED	HERITAGE DISTRICT PERMIT REQUIRED
Removal of chimneys	Yes *	No	No
Painting any previously unpainted masonry structure (brick or or concrete)	Yes	No	No*
Construct a new, principal building	See Section 2.4	Yes	Yes
Construction of a garage or a carport	Yes	Yes	Yes
Construct an addition to an existing heritage building	Yes	Yes	Yes
Relocate a building	See Guidelines	Yes	Yes
Demolition of entire buildings and structures	See Section 2.3	Yes	Yes

^{*} With respect to any alteration that does not require a heritage permit but may result in a noticeable change the applicant/owner should consult the technical and design advice in the district guidelines as well as consult with City staff and Heritage Kitchener.

TABLE 1 (CONTINUED) EXTERIOR ALTERATIONS AND ADDITIONS	PERMITTED IN HERITAGE DISTRICT	BUILDING PERMIT REQUIRED	HERITAGE DISTRICT PERMIT REQUIRED
Make alterations to an existing building which significantly affects the external appearance of a building such as changing existing roofing material, installing large canopies or other large features	See Guidelines	Yes if structural	Yes
Demolishing portions of an existing building that significantly affects the external appearance of a building such as removing porches or substantial chimneys	u.	Yes if structural	Yes
Installation of new doors cut into existing walls	u .	Yes if structural	Yes
Installation of new windows cut into existing walls	"	Yes if structural	Yes
Installation of new dormers	u	Yes if structural	Yes
Construction of storage sheds	<i>u</i>	Yes if over 108sq. ft	Yes

^{*} With respect to any alteration that does not require a heritage permit but may result in a noticeable change the applicant/owner should consult the technical and design advice in the district guidelines as well as consult with City staff and Heritage Kitchener.

St. Mary's Heritage Conservation District Study

Glossary of Terms

balustrade-

a low parapet, a row of balusters with rail used on a terrace or balcony.

bay-

a subdivision of a facade

buttered joint-

a joint that recedes from the bottom to the top or mortar placed on end of brick.

cladding-

the finish covering of an exterior wall of a frame building.

dormer-

a small roof and wall projection in a sloping roof to accommodate a window.

efflorescence-

an encrustation of soluble salts, commonly white, deposited on the surface of masonry.

flush joint-

any joint finished flush to the surface.

gable-

the enclosing lines of a sloping roof.

glazing-

the glass surface of a window opening.

head-

top of a window.

hipped roof-

roof sloped on all four sides.

Wendy Shearer Landscape Architect Limited

August 2001

hood molding- the projecting molding or arch over a door or window whether inside or outside.

infill- construction of new building within an already built up neighbourhood.

jamb- a vertical member at either side of a doorframe, window frame or door lining.

label- a projecting molding by the sides and over the top of an opening.

molding- a decorative band or strip of material used in cornices and as a trim around window and door openings.

muntin- small slender bars holding panes in a window or door.

parapet- low wall along the edge of a roof.

parging- in masonry construction a coat of cement mortar on rough masonry or basement walls.

pilaster- vertical, rectangular member projecting slightly from a wall.

quoin- a projecting corner stone at the angle of a building, often a decorative masonry unit.

regular struck joint- a horizontal masonry joint in which the mortar is sloped inward and downward from the upper edge.

repoint- the removal of existing mortar from joints and replacement with new mortar.

ribbon joint- a horizontal masonry joint with a small ribbon like appearance.

rodded joint-

a horizontal masonry joint produced by taking a small rod and striking the surface to produce a concave joint.

sash-

any framework of a window; may be moveable or fixed.

semi-recessed joint- a horizontal masonry joint where the mortar is pressed back 6 mm from the face of the wall.

setback-

required distance established by a zoning by-law from property line to face of building foundation.

sill-

the bottom horizontal framing member connecting the wall studs to the foundation.

spalling-

the flaking of brickwork due to frost, chemical action or movement of the building structure.

thumbed joint-

a narrow concave horizontal mortar joint.

tucked joint-

a mortar joint which is cleaned out and then filled with fine mortar projecting out slightly.

vestibule-

small entry room or interior space at entrance to building.

CITY OF KITCHENER Designated Heritage Property Alteration/Demolition Application

<u>Nature</u>	of Application				•	e .
	Exterior		Interior		Demolition	
	New Construction		Alteration		Relocation	
Subject	t Property					
	Municipal Address:					
	-					
	Legal Description: Plan		Lot	Assessm	ent Roll No	
	Building Type: Reside	ntial	Com	mercial	Industrial	
	Institu	tional	Othe	r		
Owner					, , , , , , , , , , , , , , , , ,	
	Name:					
	Telephone: (Home)	 			(Work)	
Agent	(if applicable)		•			
_	Name:				Telephone:	
	Address:				•	
Builde	er(s)/Contractor(s)		tar in the second			
1	. Name:				Telephone:	
	Address:					
2	. Name:				Telephone:	
	Address:					:

Proposal Outline Please provide a written description of the project proposal including any conservation methods you plan to use (i.e. cleaning of brick). Provide such detail as materials to be used, measurements, paint colours, decorative details, whether any original building fabric is to be removed or replaced, etc. Use additional pages as required. Scale drawings showing the full scope of work, including specifications and the elevation(s) to which the work is being done, may be required. Enclose additional drawings, photos and/or other material necessary for a complete understanding of the proposed work. Please include any available historic photographs, which will be returned. Expected Start Date: ____ (Day/Month/Year) Have you made a Building Permit Application for this work? Declaration The undersigned acknowledges that all of the statements contained in documents filed in support of this application shall be deemed part of this application for all purposes. The undersigned acknowledges that Council of the City of Kitchener shall determine whether the information submitted in this application is sufficient. The undersigned agrees that the proposed work shall be done in accordance with this application and understands that the approval of this application under the Ontario Heritage Act shall not be a waiver of any of the provisions of any bylaw of the City of Kitchener or the requirements of the Building Code Act. The undersigned acknowledges that in the event this application is approved, any departure from the conditions imposed by the Council of the City of Kitchener or from the plans or specifications approved by the Council of the City of Kitchener is prohibited and could result in a fine being imposed as provided for under the Ontario Heritage Act. I, the undersigned, (PRINT) ______, declare that the statements contained in this application are true. Owner's Signature: Appeal Process Where City Council consents to this application upon certain terms and conditions or refuses this application or for Part V designated properties fails to make a decision within 90 days of receipt of this application, the owner may, within 30 days after receipt of the notice of the Council's decision, appeal the decision of Council to 1) the Conservation Review Board, for properties designated under Part IV of the Ontario Heritage Act; or 2) the Ontario Municipal Board, for properties designated under Part V of the Ontario Heritage Act. Note that the appeal process described above does not apply when an application requesting demolition or removal of a designated property is refused by Council. Where an application to demolish or remove a building or structure designated under either Part IV or Part V of the Ontario Heritage Act is refused by Council, or where Council fails to make a decision within 90 days after receipt of the application or within such extended time as may be agreed upon, following the expiry of a period of 180 day from the date of refusal by Council to issue a permit, from the expiry of the 90 day application period, or the expiry of the extended period agreed upon, the applicant may proceed to demolish or remove the building or structure subject to any other applicable Act, by-law or regulation. Heritage Kitchener Meeting Date(s):

Decision/Notes: