



SUBJECT: Heritage permit application for 3083 Lakeshore Rd.

TO: Committee of the Whole

FROM: Community Planning Department

Report Number: PL-54-24

Wards Affected: 4

Date to Committee: July 8, 2024

Date to Council: July 16, 2024

Recommendation:

Approve heritage permit application 501-06-4-04/24 for the construction of an addition, including related alterations, and the removal of a heritage attribute, at 3083 Lakeshore Road, subject to the approval of any required Planning Act applications and to the following heritage permit conditions:

1. That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Community Planning, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations; and
2. That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than June 30, 2026. If the alteration(s) are not completed by June 30, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Burlington; and
3. That the details of any window repairs and/or specifications for new replacement windows be submitted to the satisfaction and approval of the Director of Community Planning, prior to implementation.

PURPOSE:

Vision to Focus Alignment:

- Designing and delivering complete communities

- Providing the best services and experiences
 - Protecting and improving the natural environment and taking action on climate change
 - Driving organizational performance
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Executive Summary:

The subject property is designated under Part IV of the *Ontario Heritage Act* by By-law 61-2008 (see Appendix E By-law 61-2008). Council consent is required for a Heritage Permit application to demolish or remove any heritage attributes. The applicant is applying for the construction of a new rear (north) addition; related alterations to heritage attributes, as described in detail below; and the removal of the 3-bay window configuration in the north facing dormer (a heritage attribute) to facilitate the new addition at 3083 Lakeshore Rd., Burlington (see Appendix A Location Map).

Staff recommend approval of Heritage Permit Application 501-06-4-04/24, subject to two standard Heritage Permit conditions typically recommended by staff and one additional condition regarding the repair or replacement of heritage windows, as discussed at the Heritage Burlington Advisory Committee meeting of June 12, 2024.

Background and Discussion:

The subject property is located on the north side of Lakeshore Road, between Hart Avenue and Rossmore Boulevard (see Appendix A Location Map). The subject property comprises the Seaton Bungalow, a one and one-half storey vernacular Arts and Crafts end-gabled cottage having elements of the Craftsman style. The Seaton Bungalow was designated under Part IV of the *Ontario Heritage Act* (OHA) in 2008 by City of Burlington By-law 61-2008 (see Appendix E By-law 61-2008). For photographs of the subject property taken on a staff site visit on May 31, 2024, see Appendix B Photographs.

Proposed Development

The applicant is proposing to construct a new rear addition to the existing structure, which would require the following works:

- The removal of portions of the former porch at the northeast corner of the dwelling (currently enclosed by a rear building addition);
- The addition of a new rear addition, including the removal of the 3-bay window configuration in north facing dormer (6-over-1, 2-over-2-over-2 and 6-over-1 windows);
- Painting or replacement of wood shingles with like-for-like shingles;

- Any repair required and painting of 6-over-1 windows and the 6-light window in the south facing dormer;
- Conversion of the side door into a window opening (relocating the door and hardware to the south facing wall entering the foyer);
- Removal of the north facing rear ground level building addition (not a heritage attribute); and,
- Addition of a circular driveway and sports court at the rear of the property.

The applicant has provided a cover letter with a heritage attribute chart, site photographs and 3D renderings (see Appendix C Application Cover Letter) and an architectural drawing package (see Appendix D Architectural Drawing Package).

Proposed Work Removing a Heritage Attribute

The heritage attribute protected by Designation By-law 61-2008 and proposed to be demolished or removed, is as follows:

- 3-bay window configuration in north facing dormer (6-over-1, 2-over-2-over-2 and 6-over-1 windows);

The applicant applied for a Heritage Permit on May 24, 2024, to demolish / remove the 3-bay window configuration in the north facing dormer.

Proposed Work Altering Heritage Attributes

The heritage attributes protected by By-law 61-2008 that are proposed to be altered to facilitate the proposed development are as follows:

- Protruding bay window (west elevation) with elongated 6-over-6-over-1 ganged windows;
- 6-light window in south facing dormer;
- Porch at northeast corner has been enclosed by a rear building addition but is extant;
- Wood shingles in gable ends;
- Wooden front door and associated hardware, specifically the 4-light hinged “peep hole”; and,
- 6-over-1 windows in south facing dormer.

Strategy/process/risk

Heritage analysis

The heritage analysis below is regarding the removal of the following heritage attribute:

- 1) 3-bay window configuration in north facing dormer (6-over-1, 2-over-2-over-2 and 6-over-1 windows);

At the May 31, 2024, site visit, it appeared that this heritage attribute had been altered by previous property owners. The central window (2-over-2-over-2) in the 3-bay window configuration has been converted into a door. This factor and the location of the heritage attribute at the rear of the property (it cannot be seen from the public realm) leads staff to the opinion that the removal of this altered heritage attribute is acceptable to facilitate the proposed new addition.

The heritage analysis below is regarding the alteration of the following heritage attributes:

1. Wood shingles in gable ends;
2. Protruding bay window (west elevation) with elongated 6-over-6-over-1 ganged windows;
3. 6-light window in south facing dormer;
4. 6-over-1 windows in south facing dormer;
5. Porch at northeast corner has been enclosed by a rear building addition but is extant; and,
6. Wooden front door and associated hardware, specifically the 4-light hinged “peep hole”.

The wood shingles in the gable ends are to be painted or replaced like-for-like (e.g., using the same materials). Staff support this alteration as like-for-like replacement respects the historic building materials.

The applicant has confirmed all existing heritage windows will either be retained or replaced like-for-like if the condition is not repairable. Staff recommend repairing/conserving the windows rather than replacing them except where necessary as minimal intervention is a best heritage conservation practice. The recommended third condition of the Heritage Permit approval ensures that the details of any window repairs and/or specifications for new replacement windows will be approved by the Director of Community Planning.

As noted, the porch at the northeast corner of the building has already been enclosed by the existing rear building addition and forms part of the interior living space. While the existing addition is proposed to be demolished, the proposal will retain the exterior porch post of the original porch, which will allow the post to be visible from the exterior. While some of the historic building material will be removed, it will be beneficial for the remaining post to be visible from the exterior of the building. Staff and the Heritage Burlington Advisory Committee have also recommended investigating the reuse of some of the stone in the new addition or as a landscaping feature.

Finally, the location of the wooden front door and associated hardware, specifically the 4-light hinged “peep hole,” is proposed to be altered. The existing large window opening adjacent to the door in the front façade of the building is proposed to be the new door opening, and the former door opening is proposed to be converted to a window opening. While this will constitute a visible change in the front façade of the building, staff are supportive of the reuse of the front door and associated hardware and view the alteration as an added layer to the building’s history with new property owners.

Heritage Burlington Advisory Committee

The Heritage Burlington Advisory Committee (HBAC) reviewed the Heritage Permit application at their June 12, 2024, meeting and passed the following motion recommending that Council approve the subject application with three conditions:

“Heritage Burlington Advisory Committee recommends that Heritage Permit No. 501-06-4-04/24 be approved, subject to the following conditions:

- *That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Community Planning, prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;*
- *That implementation / installation of the alteration(s), in accordance with this approval, shall be completed no later than June 30, 2026. If the alteration(s) are not completed by June 30, 2026, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Burlington; and,*
- *That the details of any window repairs and/or specifications for new replacement windows be submitted to the satisfaction and approval of the Director of Community Planning, prior to implementation.”*

Regarding the third condition of approval recommended by the HBAC as noted, the applicant has confirmed all existing heritage windows will either be retained or replaced like-for-like if the condition is not repairable (aside from the north dormer windows, to be removed). As such, the details of any window repairs and/or specifications for new replacement windows will be approved by the Director of Community Planning.

Options Considered

Option 1 – Approve the application without conditions (Not recommended)

Staff and the Heritage Burlington Advisory Committee do not support this option. The two standard conditions and one additional condition are appropriate for the scope of this Heritage Permit approval and allow staff to review minor changes to the plans and elevations following approval, as well as determine an appropriate course of action for

window repair and/or replacement. Council could choose this option if not in agreement that the subject application requires conditions of approval.

Option 2 – Approval the application with conditions (Recommended)

Staff and the Heritage Burlington Advisory Committee recommend this option because the conditions set out a clear timeline and allow staff to review minor changes to the plans and elevations following approval. In addition, the third condition regarding window repair and/or replacement allows staff to determine an appropriate course of action (e.g., best practices for repairing wood heritage windows or choosing appropriate replacement windows that are compatible with the heritage character of the building). As such, the two standard conditions and one additional condition of approval are recommended. Council could choose this option if in agreement that the subject application requires conditions of approval.

Option 3 – Decline the application (Not recommended)

Staff and the Heritage Burlington Advisory Committee do not support this option because appropriate conditions of approval have been recommended. Council could choose this option if not in agreement that the subject application should be approved with or without conditions.

Financial Matters:

Total Financial Impact

Not applicable.

Source of Funding

Not applicable.

Other Resource Impacts

If Council chooses to refuse the Heritage Permit application, under subclause 34 (4.2) (a) (iii) of the OHA, the owner of the property may appeal Council's decision to the Ontario Land Tribunal within 30 days of the day the owner received notice of Council's decision. An appeal may have financial and resource impacts as staff or consultants would be required to participate in the appeal process.

Climate Implications:

Historic Building Material Reuse

Research has shown that building reuse almost always offers environmental savings over demolition and new construction, and that it can take between 10 and 80 years for a new, energy-efficient building to overcome negative climate impacts created through the new construction process (see [The Greenest Building: Quantifying the Environmental Value of Building Reuse](#) report). The retention and retrofitting of built heritage resources and historic building materials (including heritage attributes such as windows), coupled with responsible material choices, will likely have positive climate implications for the City of Burlington.

Engagement Matters:

Staff presented the Heritage Permit application to the Heritage Burlington Advisory Committee on June 12, 2024. Staff reviewed the submission materials and answered questions from committee members regarding the subject Heritage Permit application. The committee passed a motion recommending conditional approval of the application (see Heritage Burlington Advisory Committee section above).

Conclusion:

Staff recommend that the subject application for the construction of an addition, including related alterations and the removal of a heritage attribute, be approved subject to the appropriate conditions outlined above. Staff do not have concerns regarding the removal of the 3-bay window configuration in the north facing dormer. Staff have recommended the repair and repainting of the other windows identified as heritage attributes, or that wood replacement windows in a heritage style be chosen if replacements are required, which the applicant is in agreement with.

Respectfully submitted,

Chloe Richer, MCIP, RPP, CAHP

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Appendices:

- A. Location Map
- B. Photographs
- C. Application Cover Letter

D. Architectural Drawing Package

E. By-law 61-2008

Notifications:

Planner will provide contact information.

Report Approval:

All reports are reviewed and/or approved by the Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.