

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Anthony Jas
Planner I, Planning Services

Date: June 17, 2020

Subject: Ontario Heritage Act – Heritage Alteration Permit
367 Wellington Street West, Community of Chatham (City)

Recommendations

It is recommended that:

1. In accordance with Section 33 of the Ontario Heritage Act, consent in writing to the alteration plans submitted by the owners of the 367 Wellington Street West, Community of Chatham (City), be given.
2. Administration be directed to draft and deliver written consent to the proposed alteration of the residence at 367 Wellington Street West, Community of Chatham (City) to the owners of the property and to the Ontario Heritage Trust.

Background

Our inheritance of architecture and cultural landscapes is an irreplaceable asset and resource. In Ontario, the task of conserving these important assets is primarily a municipal responsibility. The Ontario Heritage Act (the 'Act') provides a framework within which municipalities can act to identify and conserve properties of historical and/or architectural significance. Under the Act, Council has established the Chatham-Kent Heritage Committee (the 'Committee') to advise Council on heritage matters.

Comments

In 2011, Council passed By-law No. 199-2011, under section 29 in Part IV of the Act, to designate the property located at 367 Wellington Street West to be of cultural heritage value or interest.

The property is situated within a row of Queen Anne style residential structures lining Wellington Street West and contains a residence that is a representative example of

vernacular architecture with some Queen Anne Style elements. As described in Schedule A of By-law No. 199-2011, attached as Appendix A, the character defining elements of this structure, which contribute to its historical value, includes:

- two-storey construction
- gable roof
- vernacular architecture
- decorative wooden bargeboard
- small paned windows
- porticoed entrance
- original second entrance on the east elevation with early door
- red-brick foundation

These character defining elements set out the key attributes of the property that are to be retained to conserve its cultural heritage value or interest. Listing these attributes also helps guide future alterations to a designated property by clearly identifying what elements are to be protected.

On April 16, 2020, Administration received an application from the owners of the property seeking permission to make alterations to the existing structure. The planned alterations include:

- replacing an 80-year old style porch with a more authentic Victorian wrap-around porch truer to the original heritage of the building; and
- restoration of an existing exterior side entrance to the house that is currently inaccessible.

These alterations will result in the removal of the porticoed front entrance of the residence (see “before” picture below), which is a defined heritage attribute as described above. In its place, the owners are proposing a wrap-around front porch that is period appropriate and would greatly add to the architectural presence of the residence and the streetscape (see “after” picture below).



Before



After

Alterations to a designated property that affect the property's heritage attributes is regulated under Section 33 of the Act. Under this section, once a request to alter a property is received, Council is required to first consult with the Committee and then decide on one of the following actions:

- 1) consent to the application
- 2) consent to the application on terms and conditions
- 3) refuse the application

Council then must give notice of its decision to the owner of the property and to the Ontario Heritage Trust.

Alteration Permit Application

The alteration permit application received from the owners of the property is attached as Appendix B for review. As described in this submission, the overall intent is to repair the exterior of the residence and improve the heritage attributes of the home with a more authentic Victorian era wrap-around porch.

The Committee has been consulted on this matter, as per Section 33 of the Act, and their advice to Council is summarized in the Consultation section below.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- ☐ Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- ☐ A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- ☒ People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- ☐ Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- ☐ Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable

- ☐ Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership
- ☐ Has the potential to support all areas of strategic focus & critical success factors
- ☐ Neutral issues (does not support negatively or positively)

Consultation

Municipal Heritage Committee

In accordance with the Ontario Heritage Act Section 33(4), the Committee has been consulted on the alteration proposed for 367 Wellington Street West, Chatham (City). At a special meeting of June 3, 2020, the Committee passed the following motion regarding the proposal:


“That the Committee support the alternation permit application for 367 Wellington Street, Chatham (City) that was submitted by the applicants.”

The motion of the Committee, advising Council to consent to the application, satisfies the consultation requirement as set out under Section 33(4) of the Act.

Financial Implications

There are no financial implications resulting from this proposal.

Prepared by:



Anthony Jas
Planner I, Planning Services


Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

John Norton, General Manager
Community Development

Attachments: Appendix A – By-law No. 199-2011
Appendix B – Alteration Permit Application

C: Municipal Heritage Committee

P:\RTC\Community Development\2020\Planning Services\July 20-20 Ontario Heritage
Act - Alteration Permit For 367 Wellington Street, Chatham Report.docx

April 15, 2020

Municipality of Chatham-Kent
Heritage Committee
c/o Ryan Jacques
519 King Street West
Chatham, Ontario

Re: Requested Modifications to 367 Wellington Street West, Chatham

Dear Heritage Committee Members:

After 35 years of ownership of our 129 year old home (9 of which with heritage designation) we have been forced to face the necessity of removing the deteriorating front porch. With a cracked and sinking concrete slab, the front entry had become not only an eyesore, but a trip hazard and safety issue. In addition, colonies of carpenter ants were eroding the rotting wood construction, causing a further safety concern.

After months of research we began to see this as an opportunity to improve the heritage attributes of the home, by replacing the 80-year old style porch, with a more authentic Victorian wrap-around porch truer to the original heritage of the building. This would allow us to reveal an original transom which was covered over when the existing porch was attached. It would also allow us to restore and utilize an additional exterior entrance to the house, which for decades has been sealed closed and inaccessible. The original heritage-designated fascia remains unchanged.

As illustrated in the attached report, we have taken significant efforts in design and materials selection to retain and enhance these features. We are hopeful that the Heritage Committee will endorse the project and look forward, as we do, to preserving and promoting local heritage sites such as ours.

To move forward taking advantage of the spring and summer construction months of good weather, we respectfully request and very much appreciate your timely attention. If you require any further information from us, we are happy to discuss the project in person and continue to update you through our progress.

We look forward to hearing from you regarding your process and next steps.

Respectfully,

Kim & Gerry Bossy
367 Wellington Street West
Chatham
519.401.6003 (c)

**Submission to the Heritage Committee
Of the Municipality of Chatham-Kent
For the Restoration of Historical Architectural Features
At 367 Wellington Street West, Chatham**

Background

For 35 years, Kim and Gerry Bossy have been restoring and preserving the architectural features of their home at 367 Wellington Street West that was built in 1891. In 2011 the home was granted heritage designation under bylaw 199-2011 by the Municipality of Chatham Kent under Part IV of the Ontario Heritage Act based on extensive research. In Schedule B of the bylaw under the subheading *Design or Physical Value* it states in part,

“A second entrance on the east elevation provides evidence that a larger wrap around porch may have been originally constructed spanning the right side of the façade around to the east elevation”.

With this information and with further evidence gathered, Mr. and Mrs. Bossy intend to rebuild the wrap around porch in keeping with the architectural features of the home which would have existed in the Victorian era of the 1890's.

Revision of Heritage Attributes

With regard to the original wrap around porch referred to in the preceding section, the Preservation and Maintenance Agreement entered into on November 30th, 2011 cannot pertain to a significant architectural feature that no longer exists. According to evidence gathered, the original wrap around porch was demolished just prior to 1940. At that time, the existing “porticoed entrance” that is mentioned in Schedule B of the bylaw was constructed using a preformed concrete slab for the base and which covered a pre-existing transom above the front entrance. As such, **the replacement portico from the 1930's has no historical or architectural significance in relation to the original features of the structure from 1891 and should be excluded from the defining elements.**

Pictured Below from left to right: Evidence of pre-existing transom above front entrance exposed with removal of 1930's portico; uncovered opening for transom in interior above front entrance; original transom window salvaged, to be restored



The original transom is a defining heritage feature that will be restored and should be added to the Character-Defining Elements section of Schedule B of By-Law 199-2011.

Revision of Heritage Attributes (continued)

The character-defining elements section of the bylaw also lists the **“original second entrance on the east elevation with early door”**. This door was reopened after many decades of being sealed. The intention is to restore the original door and make it operational. The second entrance can only be made accessible by reinstating the original wrap around porch.

Pictured Below from left to right: Early door to second entrance sealed for over 80 years; original door unsealed, to be restored and made accessible with construction of wrap around porch; original antique door knob



Necessity to Remove 1930's Portico

Recently the preformed concrete slab used for the base of the 1930's portico had developed a large fracture across the entire middle and the front portion of the portico was sinking. This in turn led to the porch starting to separate from the main structure as evidenced by another large fracture across the front entrance threshold. In addition, several colonies of carpenter ants had eroded large holes in the rotted planks of the roofline and ceiling as well as the pillars of the porch. **The replacement portico from the 1930's had become a safety issue necessitating its removal.**

Pictured Below from left to right: Large fracture in concrete porch base running the full length of the porch; other cracks forming as a result of the porch sinking and pulling away from the main structure; multiple carpenter ant colonies creating holes in the rotted wood and further making the 1930's portico unsafe



Research, Plans and Specifications for Restoring the Wrap Around Porch

Research of numerous homes with wrap-around porches from the early 1890's indicate that the original porch built as part of the house in 1891 would have resembled the "Victorian Folk Farmhouse" style of that era.

Pictured Below from left to right: the first three pictures depict Victorian Folk Farmhouse homes with wrap-around porches from the 1890's; the last picture depicts the Trish Romance home in Niagara-on-the-Lake built in 1890 showing a similar transom that was common above front entrances in that era



The proposed porch will be entirely of wood construction in keeping with the period. The opening where the transom window is situated suggests that the original porch had a 9 foot ceiling. To that end, Century Post Company was contracted to replicate 9 foot Victorian porch posts made of solid pine, as well as matching balusters and newel posts. It should be noted that Century Porch has helped to restore numerous century homes in Niagara-on-the-Lake as well as heritage homes across the U.S. northeast.

Pictured Below from left to right: 9 foot by 6 inch Victorian replica porch posts made from solid pine; 78 balusters measuring 24 inches by 3 ½" matching the porch posts; primed balusters ready for final painting; newel posts leading to front steps

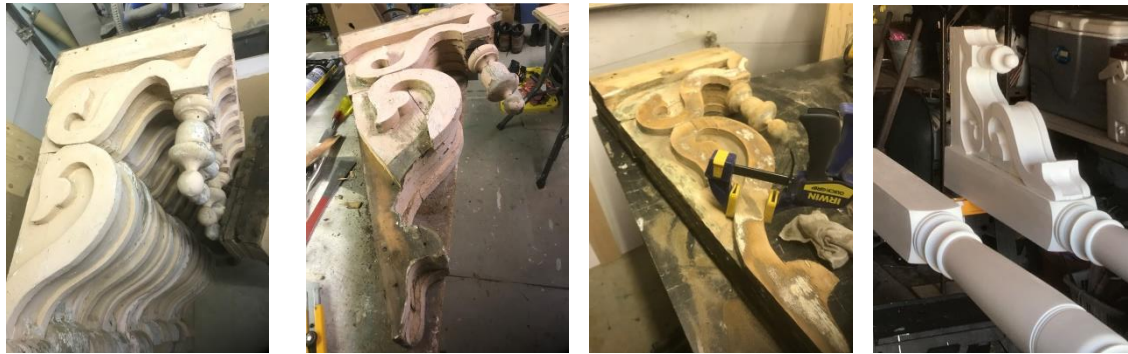


The positioning of porch posts is outlined in a scale drawing of the porch floor plan that includes measurements to be used for baluster numbers and placement (Wrap-Around Porch Scale Drawing of Floor Plan included in Appendix A of submission). All posts, balusters and newel posts will be painted with the same decorative heritage colours used to restore the bargeboard fascia of the structure.

Page 4 – Submission to the Heritage Committee of Chatham-Kent – 367 Wellington West

The typical Victorian front porch features generous use of decorative wood trim, friezes, ornamental balusters, and elaborate details between posts such as decorative mouldings or corbels. Luckily, 14 original corbels were salvaged from a porch in Middlesex county measuring 33" (the precise measurement of the mounting area at the top of each post). Dozens of hours were spent stripping, rebuilding and restoring each corbel to its original state.

Pictured Below from left to right: Fourteen original Victorian corbels; a damaged corbel in need of refurbishing; damaged corbel stripped and rebuilt; positioning of primed corbel at top of porch post



A three-dimensional drawing illustrates the vertical dimensions and positioning of the posts on the proposed wrap-around porch (Appendix B of the submission).

Finally we sought advice from Brad Eagan of Bradonna Woodwork Inc. who served on the Heritage Committee in the past and who will be building the railings suited to the balusters. Using photo technology, the finished porch rendered onto the existing house would resemble the picture below.

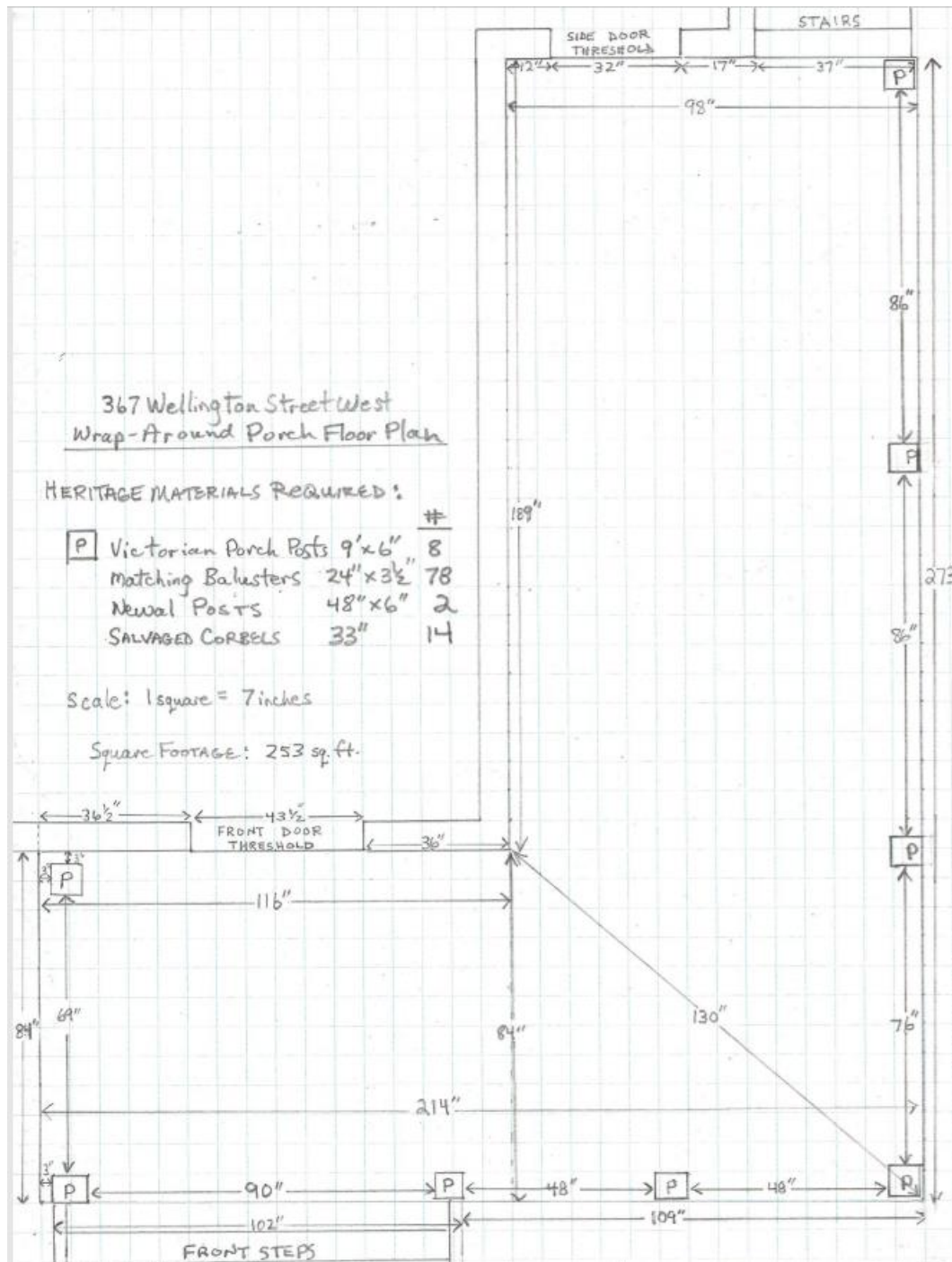


Before



After

Appendix A – Wrap-Around Porch Floor Plan for 367 Wellington West



**Appendix B – Three-Dimensional Drawing with Vertical Measurements
Wrap-Around Porch for 367 Wellington Street West**



BY-LAW NUMBER 199-2011
OF THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A By-law to designate the property known as **367 Wellington Street West, Community of Chatham**, as being of historical and architectural value or interest.

FINALLY PASSED the 21st day of **November, 2011**.

WHEREAS the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 as amended, provides that the Council of the Municipality of Chatham-Kent may designate a property within the boundaries of the Municipality to be of cultural heritage value or interest;

AND WHEREAS Council of the Corporation of the Municipality of Chatham-Kent has appointed the Heritage Chatham-Kent Advisory Committee and the said committee has recommended that the Municipality designate the hereinafter described property pursuant to The Ontario Heritage Act;

AND WHEREAS given Council of the Corporation of the Municipality of Chatham-Kent has given Notice of Intention to Designate the hereinafter described property to be of cultural heritage value and interest pursuant to the Ontario Heritage Act;

AND WHEREAS no Notice of Objection to the proposed designation has been received by the Corporation of the Municipality of Chatham-Kent;

AND WHEREAS the reasons for designation are set out in Schedule "B" annexed hereto;

NOW THEREFORE the Municipality of Chatham-Kent enacts as follows:

1. That the property more particularly described in the attached Schedule "A" be designated to be of cultural heritage value and interest pursuant to The Ontario Heritage Act.
2. The Clerk be authorized register the by-law against the property described in Schedule "A" hereto in the proper land registry office.
3. The Clerk be directed to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and cause notice of the passing of this by-law to be published in a newspaper having general circulation in the municipality.

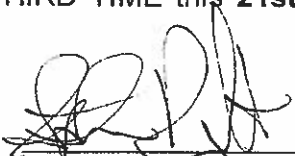
THIS By-law shall come into full force and effect upon the final passing thereof.

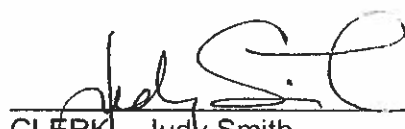
READ A FIRST, SECOND AND THIRD TIME this **21st** day of **November, 2011**.

I hereby certify this to be a true copy of By-law
Number 199-2011 passed by Municipality of
Chatham-Kent Council at its' meeting
held on Nov. 21, 2011,
and the same is now in full force and effect.



The Corporation of the Municipality
of Chatham-Kent


ACTING MAYOR – Steve Pinsonneault


CLERK – Judy Smith

SCHEDULE 'A'

PT LT 111 PL OLD SURVEY NW/S WELLINGTON ST AS IN 422005;
CHATHAM-KENT.

PIN No. 00505-0043

SCHEDULE 'B'

REASONS FOR DESIGNATION

Canadian Register of Historic Places Nomination
367 Wellington Street West, Municipality of Chatham-Kent

*any field that appears in grey is mandatory

Identification

Historic Place Name	367 Wellington Street West		
Other Names	#	Type:	Name:
	1	Other	n/a

Recognition

Authority:	Local Government (ON)
Recognition Type:	Municipal Heritage Designation Part IV
Recognition Date:	2011-11-21

Location

Location

Building Number:	367
Street Name:	Wellington Street West
Postal Code:	N7M 1K2
Locality:	Chatham
Community:	Municipality of Chatham-Kent
Upper Tier:	n/a

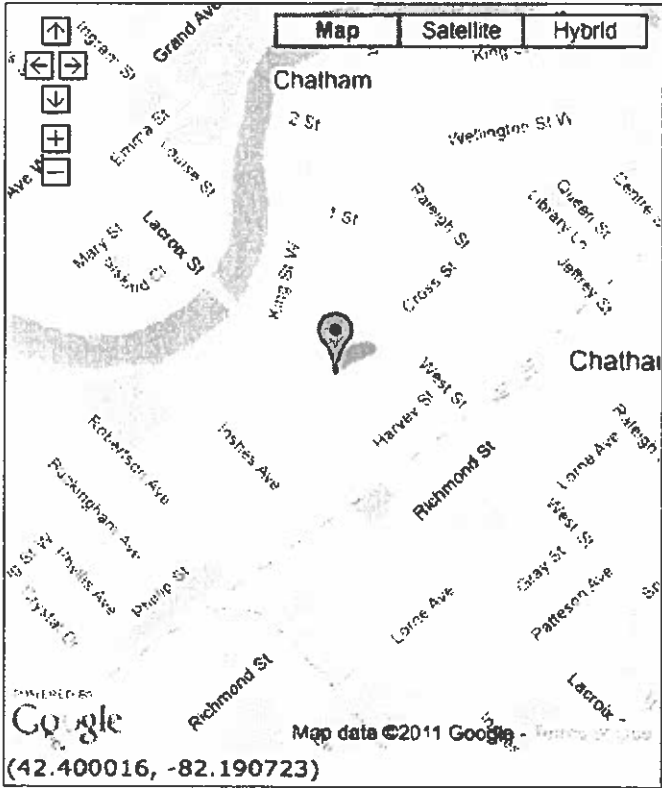
Coordinates

UTM		Latitude/Longitude	
Determination:	n/a	Determination:	Geocoding
Datum:	n/a	Datum:	NAD83
Zone:	n/a	Latitude:	42.400016
Northing:	n/a	Longitude:	-82.190723
Easting:	n/a		
Borden #:	n/a	Borden #:	n/a

Boundaries

Boundary Description:	Old Survey, Part of Lot 111, Municipality of Chatham-Kent.
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Map



Description

Statement of Significance

Description of Historic Place: i.e. Description of Property	367 Wellington Street West is located on the west side of Wellington Street West between Lacroix Street and West Street in the City of Chatham. Municipality of Chatham-Kent. This two-storey residential building was constructed circa 1891.
Heritage Value: i.e. Statement of Cultural Heritage Value or Interest	<p><i>Historical or Associative Value:</i></p> <p>367 Wellington Street West is associated with many notable Chatham residents, but the most significant is James Gardiner. He was one of the most highly esteemed residents of the County of Kent during its early development. Gardiner was a significant stockholder and board member of the Chatham Loan & Savings Company, of which his son Samuel was manager. James bought the property in question, then undeveloped, in 1873 and subdivided it into four separate plots, now respectively known as 351, 355, 361 and 367 Wellington Street West.</p> <p>In 1886, Gardiner sold the property to William Berhorst and his wife Mary Catherine. Berhorst was a merchant tailor, who eventually built the present structure in 1891 as his family home. After Berhorst's death the property past on to his daughter Frances and eventually changed hands many times.</p> <p><i>Design or Physical Value:</i></p> <p>367 Wellington Street West is a representative example of vernacular architecture with some Queen Anne style elements. The façade and east elevation of the structure exhibit its historically significant architectural features. The gable roof with decoratively painted wooden bargeboard provide delicate detail to the façade. A second entrance on the east elevation provides evidence that a larger wrap around porch may have been originally constructed spanning the right side of the façade around to the east elevation. Red-brick is visible below the vinyl siding and on the chimney, indicating a brick foundation.</p> <p><i>Contextual Value:</i></p> <p>367 Wellington Street West is located among a fine row of Queen Anne style homes that line the west side of Wellington Street West. It is surprising that these large homes, which were spaced on an urban scale, do not appear clustered. This is a neighbourhood that is still closely linked with the downtown core and much of its original continuity and grandness is still prevalent.</p> <p><i>Sources:</i></p> <p>367 Wellington Street West research, Gerry Bossy. Municipality of Chatham-Kent Land Registry Records <i>Windfall</i>, 1979.</p>
Character-Defining Elements: i.e. Description of Heritage Attributes	<p><i>Exterior character defining elements on the façade and east elevation that contribute to the value of 367 Wellington Street West include its:</i></p> <ul style="list-style-type: none">- two-storey construction- gable roof- vernacular architecture- decorative wooden bargeboard- small paned windows- porticoed entrance- original second entrance on the east elevation with early door- red-brick foundation <p><i>Characteristics that contribute to the contextual value of 367 Wellington Street West include:</i></p> <ul style="list-style-type: none">- one of a row of Queen Anne style residential structures lining Wellington Street West that retains the neighbourhood's original continuity and grandness- proximity to the commercial downtown core

Contributing Resources		Type:	Count:	
		Building	1	
Area (m²)	1159			
Dates of Significance	#	Type:	From:	To:
	1	Construction	1891	1891
	2	Significant (land subdivided)	1873	1873
BA	#	Type:	Name:	
	1	Architect	n/a	
	2	Builder	n/a	

Function Category and Type

Category and Type	#	Function:	Category:	Type:
	1	Historic	Residence	Single Dwelling
	2	Current	Residence	Single Dwelling

Theme

Theme Category Type	#	Category:	Type:
	1	Developing Economies	Trade and Commerce

Images

	Image 1:	Image 2:	Image 3:
File Path:	n/a	n/a	n/a
Image Type:	Contemporary Photograph	Contemporary Photograph	Contemporary Photograph
Caption:	Façade of 367 Wellington Street West	Southwest View of 367 Wellington Street West	Detailed View of 367 Wellington Street West's Decorative Bargeboard
Description:	East facing façade depicting the vernacular style architecture with some Queen Anne elements, 2011.	Detailed view of the second entrance on the building's north elevation featuring an early door, 2011.	Featured is the decorative wooden bargeboard located on the façade and north elevation, 2011.
Copyright:	Lindsay Benjamin, 2011.	Kayla Jonas, 2011.	Lindsay Benjamin, 2011.
Miscellaneous Info:	n/a	n/a	n/a



Image 1

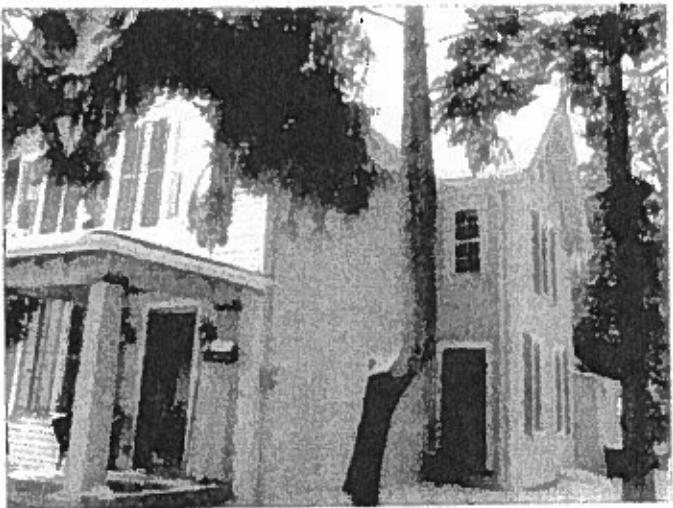


Image 2

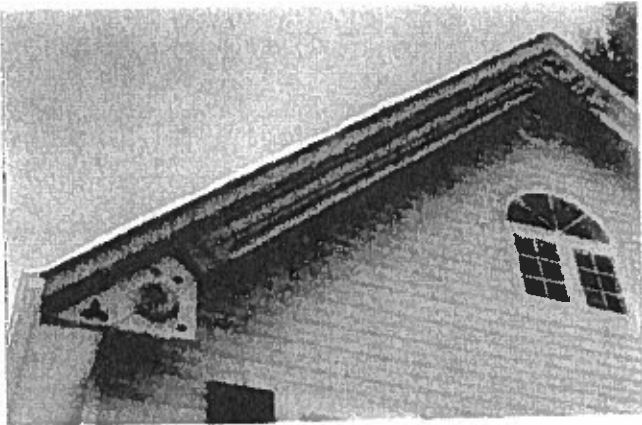


Image 3

Resources

Location of Documents:	Chatham Cultural Centre 75 William Street North Chatham Ontario N7M 4L4		
Collections:	n/a		
Related Link	URL:	Type:	Description:
	http://www.chatham-kent.ca	Local Government Website	Municipality of Chatham-Kent

Management

Ownership Type:	Private (Individual)
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