

AGENDA
THE SECOND MEETING OF THE MUNICIPAL HERITAGE
COMMITTEE

VIA ZOOM

5:00 P.M.

FEBRUARY 9, 2022

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on January 12, 2022.

NEW BUSINESS

Heritage Alteration Permit and Planning Report - HAP-01-22 - 341 Talbot Street **Pages 2-22**

244-248 Talbot Street (Talbot & Queen) - Update

389-393 Talbot Street

15 Flora Street Update - CIP Program Committee

Student Update

NEXT MEETING

March 9, 2022

ADJOURNMENT

MEMO

DATE: February 4, 2022

ATTENTION: Jon Hindley, Secretary, Municipal Heritage Committee

SUBJECT: Heritage Alteration Permit
341 Talbot Street
HAP-01-22

Please find attached a notice of receipt for Heritage Alteration Permit within the City of St. Thomas. The applicant has consulted with Planning & Building Services Department Staff and the application has been deemed complete.

As per the Heritage Alteration Permit process, the attached material is being provided for your circulation to the Municipal Heritage Committee for consideration and recommendation to Council. In scheduling a meeting with the Municipal Heritage Committee and the applicant, please copy the Planning & Building Services Department for our records.

Through the consultation process, Planning & Building Staff have attached a report for the Municipal Heritage Committee's consideration.

If you have any questions, please contact the Planning & Building Services Department.

Regards,



Kevin McClure, MCIP, RPP
Planner

NOTICE OF RECEIPT FOR HERITAGE ALTERATION PERMIT
(Section 42(3) of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended)

February 4, 2022

Amrinder Singh
17 Villagewood St.
Brampton, ON
N6P 0E9

**Re: Notice of Receipt
Heritage Alteration Permit**
File No.: HAP-01-22
Property: 341 Talbot Street

Pursuant to Section 42(3) of the Ontario Heritage Act, as amended, this letter is notice that the information and material required through the City of St. Thomas' Application for Heritage Alteration Permit has been provided and the application is thereby considered complete.

Council of the City of St. Thomas has 90 days from the issue of receipt of this notice to make a decision to grant or refuse this application.

The Secretary of the Municipal Heritage Committee has been circulated this notice and application for inclusion on the next available meeting agenda date. You will receive a separate notice of confirmation of your Municipal Heritage Committee meeting date and time. It is advisable for you or a representative to attend this meeting to present and respond to questions on your Heritage Alteration Permit application.

Please contact the Planning & Building Services Department at 519-633-2560 if you have any questions.

Yours truly,



Kevin McClure, MCIP, RPP
Planner

cc: Jon Hindley, Corporate Administrative and Accessibility Clerk, City of St. Thomas
Oreste Caputo



	Report No. HCR-01-22
	File No. HAP-01-22
Directed to: Chair and Members of the Municipal Heritage Committee	Date Authored: 02/04/2022 Meeting Date: 02/09/2022
Department: Planning & Building Services Department	Attachments <ul style="list-style-type: none"> · Application and Supporting Materials · Order to Remedy Unsafe Building
Prepared by: Kevin McClure, Planner	
Subject: Heritage Alteration Permit for 241 Talbot Street – Amrinder Singh	
<p>ORIGIN: An Order to Remedy Unsafe Building was placed on the property due to loose and spalling bricks at the rear of the building on January 2, 2020. Staff had discussions with the mortgage holder during 2020 regarding the need to apply for a heritage alteration permit to undertake the required work. While the mortgage holder, at that time, applied to have repairs undertaken in 2020 to address the Order, an ongoing dispute between the mortgage holder and the owner of the property (Orest Caputo) resulted in the City being unable to advance an application because they were unable to demonstrate that the owner of the property authorized them to undertake the work.</p> <p>On January 21, 2022, Staff were contacted by the owner and legal counsel about closing out the Order as they were looking to sell the property. Staff reaffirmed that a Heritage Alteration Permit would be required to address the Order on the property.</p> <p>PROPOSED HERITAGE ALTERATION PERMIT SUMMARY: Staff are uncertain as to when the works were completed but, the rear of the property has since been covered in stucco. As per the application materials, they have indicated that the application of stucco was a condition of the sale to the new owner, Amrinder Singh. Staff are unaware of the methods used to address the Order other than the engineers' letter that was submitted with the application. The applicant is seeking to obtain a Heritage Alteration Permit for the work that has been completed.</p> <p>HERITAGE CONSERVATION DISTRICT PLAN: The property at 3441 Talbot Street has been identified as contributing resources within the Downtown St. Thomas Heritage Conservation District (HCD) Plan. As such, based on the proposed work, the policies and guidelines related to Side and Rear Elevations (4.3.2.11) would apply.</p> <p><u><i>Section 4.3.2.11 – Side and Rear Elevations</i></u> The policies of this section of the Plan speak to the maintenance and upkeep of side and rear elevations in accordance with the City of St. Thomas Property Standards by-law. The applicant provides that the work was completed to address the Order to Remedy Unsafe Building that was placed on the property, however, this section of the Plan also provides for the maintenance, repair, conservation or restoration of original cladding materials on side or rear elevations where possible. In addition, material type, proportion of material, and colour are to compliment the character of the HCD.</p>	

STAFF COMMENT:

As has been provided in the report, the applicant is seeking approval of the works that have been completed on the rear of the building as their response to the Order that was placed on the property in 2020. Staff are unaware of the construction methods used to complete the repair of the loose and spalling bricks that were the issue of the order other than the information that was provided in the engineers' report. The application of stucco on the rear of the building would not be consistent with the direction of "maintenance, repair, conservation or restoration of original cladding materials", however the policy does provide "where possible".

It is Staff's recommendation that the Committee seek clarification from the applicant as to why they were unable to repair or restore the brick, and why stucco was chosen as the material of choice. As the work has already been completed, it will be the decision of the Committee whether to accept the work that has been finished or whether additional actions afforded to Council through the Ontario Heritage Act should be imposed on the property.

Respectfully submitted,



Kevin McClure, MCIP, RPP
Planner



PLANNING & BUILDING SERVICES DEPARTMENT

t. (519) 633.2560 f. (519) 633.6581

9 Mondamin Street
St. Thomas, Ontario, N5P 2T9

Corporation of the City of St. Thomas

APPLICATION FOR A HERITAGE ALTERATION PERMIT

Pursuant to Section 33(2) and Section 42(2.1) of the Ontario Heritage Act

OFFICE USE:	Date Application Received: <u>FEB 02 2022</u>	Consultation Date: _____
	Date Application Deemed Complete: _____	File Number: _____

OWNER/APPLICANT

1. Property Owner Amrinder Singh
 Name: _____
 Address: 17 Villagewood St Brampton
 Postal Code: N6P0E9 Phone: 647.968.8493 Fax: _____
 Email: alorahomes@rogers.com

2. Agent/Applicant
 Name: Oreste Caputo
 Company: _____
 Address: 7281 Kilborne Rd
 Postal Code: N6P1K5 Phone: 519.377.500 Fax: _____
 Email: alorahomes@rogers.com

Who is the primary contact?

Registered Owner Applicant/Agent

*Note: Unless otherwise requested all communications will be sent to the Applicant.

*Please indicate the method of communication you would like to be contacted by.

Phone Email Fax Mail

PROPERTY INFORMATION

1. Municipal Address: 341 Talbot St. ST, Thomas N5P 1B7

2. Legal Description: _____

SUMMARY OF WORK PROPOSED

1. What kind of permit is required?

Alteration to Building/Property New Construction Demolition

2. How is the property designated?

- Individually Designated Property Part of the Heritage Conservation District Both

3. Check all types of work that would happen in your proposed project:

- demolition of a building or part of a building, such as a building façade
- removal of a building to a different location on site or to another site
- erection of a new building, a new façade, a new storefront, an addition to an existing building, a new garage or a wall
- structural intervention that affects the external appearance of a building
- repointing and repairing masonry, cleaning masonry of paint or grime, or painting or staining
- removal of parging, External Insulation and Finish System, siding or façade screen from walls or installation of new wall material to replace or cover existing wall material
- alteration of doors and windows, their heads and their surrounds, or cutting of new door and window openings in walls
- alteration of roofline or skyline by changes to cornices, overhangs, eaves, parapets, chimneys, domers, rooftop equipment, towers and roof shape, or alteration of historic roof coverings such as slate
- removal or addition of architectural detail, such as storefront cornices, decorative brickwork, stone trim, brackets, window shutters, awnings, porches and balconies
- erection of a sign
- alteration of streets and their boulevards, squares, parking lots

4. Please list below, any documents included with this submission (drawings, site plan, specifications, photographs and other documents as needed to illustrate the project). Requirements will depend on the scale of the project.

please see attach P-eng letter.

5. Explain the reasons for undertaking the alterations and describe how the proposal conforms to the Part IV individual designation by-law or Part V Heritage Conservation District Plan design guidelines. Attach additional page(s) if needed.

See attached

APPLICANT DECLARATION

By making this application, permission is hereby granted to any Municipal staff members and Municipal Planning Consultant to enter upon the premises described in this application at a reasonable time for the purpose of inspecting the property in relation to the proposed application and for distributing information concerning the same. This information is being collected pursuant to the Ontario Heritage Act, Municipal Act, and Freedom of Information Act. The information contained herein will be distributed to bodies and agencies prescribed by legislation and regulation and also to interested parties.

If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application (**Appendix A**). If the applicant is a corporation acting without an agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Application information is collected under the authority of Section 33(2) and Section 42(2.1) of the Ontario Heritage Act. In accordance with the Act, it is the policy of the City of St. Thomas to provide public access to all Planning Act applications and supporting documentation submitted to the City.

I Oreste Caputo, the Owner or Authorized Agent, hereby agree and acknowledge that the
(Print name of Owner or Authorized Agent)

information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M. 56, I hereby consent to the City of St. Thomas making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Collection of Personal Information:

Personal information on this form is collected under the authority of Section 33(2) and Section 42(2.1) of the Ontario Heritage Act. The information will be used for the purposes of administering the heritage permit application and ensuring appropriate service of notice of receipt under Section 33(3) and Section 42(3) of the Ontario Heritage Act. Questions about this collection should be directed to the Director of Planning and Building Services, 9 Mondamin Street, St. Thomas, Ontario, N5P 2T9, (519) 633-2560.

AFFIDAVIT OR SWORN DECLARATION

I, Oreste Caputo of London in the province of Ontario,
name of applicant City

make oath and say (or solemnly declare) that the information required under the authority of Section 33(2) and Section 42(2.1) of the Ontario Heritage Act and provided by the applicant in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the St. Thomas on this 02 day of February 20 22.
City Day Month Year

[Signature]
Signature of Owner or Authorized Agent

02/02/2022
Date

[Signature]
Signature of Commissioner of Oaths, etc.

02/02/2022
Date

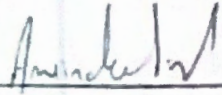
SARAH CATHARINA BAAS, a Commissioner, etc.,
Province of Ontario, for the Corporation of the City of St. Thomas.
Expires October 26, 2024.

APPENDIX A - AUTHORIZATION OF OWNER

If the applicant is not the owner of the subject lands, please complete the owner authorization concerning personal information as set out below.

I, AMBRINDER SINGH am the owner of the subject lands, and I authorize Oreste Caputo to act on our behalf as the agent for the submissions required for all matters relating to the subject lands, and to provide any of my personal information that will be included in this application or collected during the planning process.

2 Feb, 2022
Date


Signature of Owner

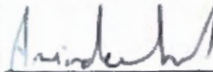
APPENDIX B – ACKNOWLEDGEMENT OF LEGAL AND PLANNING FEES

In addition to the application fees listed in this application package, please note that where the City requires assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all fees incurred by the City.

***Please note, Appendix B must be completed by the owner, not the authorized agent.**

I, Amranger-Sweet, am the owner of the subject lands, and I understand that further fees may be incurred by the City throughout the planning process and that I am responsible for reimbursing all fees.

2 Feb 2022
Date


Signature of Owner

#5.

One the back of the building it had some loose bricks and the bottom half of the same same wall was not finished at all, no bricks, no siding nothing. We finished the back side of building wall with stucco as it was a condition for the sale of the property. We were not aware at the time that there was an outstanding open permit. We were made aware upon the sale of the building. We have taken the correct steps in the recommendations set out to us. See pictures attached.

Site Review Report

Site Review-01

Client: Oreste Caputo	Project ID: CEC-22-0153
Project Address: 341 Talbot Street, St. Thomas, Ontario	Number of Pages: Three (3)
Reviewed By: Edward Gomez, P. Eng.	Date Issued: 2022/02/01
Regarding: Review of Exterior Wall Construction (Rear Wall)	

Attention: Oreste Caputo

Scope of Work:

Centric Engineering Corporation (CEC) was retained by Oreste Caputo (the client) to review the as-built construction of the rear exterior wall of 341 Talbot Street, St. Thomas.

Limitations:

In accordance with the scope of work, no physical or intrusive testing was undertaken to determine the condition of the existing structure. The recommendations of this report were based on the visual examination of the existing structure that was exposed to view. CEC attempted to identify any deficiencies with the existing structure for the purpose of this report, however, in accordance with standard engineering practice, CEC shall not be responsible for conditions arising from deficiencies not noted.

CEC shall not be responsible for conditions arising from information not provided or fully disclosed to CEC at the time of the review.

This report was prepared by CEC for the use of the client in evaluating the structural adequacy of the existing rear exterior wall construction. This assessment was conducted in accordance with the scope of work, direction provided by the client, and generally accepted structural assessment practices. No other warranty, expressed or implied is made. CEC shall not be responsible for use of, reliance on, or decisions or actions made on this report by any third party.

Observations:

Date of Site Review: 2022/01/02

Weather Conditions: Cloudy (-4°C)

Progress of Work:

1. At the time of our site review, all construction work was completed.
2. The stucco appeared to be in good condition and uniform across the entire wall.
3. The rear wall has been clad in 1½" thick rigid insulation and covered with a grey stucco finish. It was noted by the client that the new rigid insulation was fastened to the wall beyond with screws and construction adhesive. The construction adhesive was visible on the left side of the building where the rear wall meets the left side wall.
4. It was noted by the client that some small localized brick repairs were completed prior to cladding with rigid insulation. The client states that any loose bricks were reported. The client provided images of these areas showing the condition prior to the repairs.

Recommendations and Engineering Opinion:

1. Based on the images of the existing brick wall provided by the client, repointing the mortar joints is an appropriate structural repair. CEC would expect that any repointing done would serve to increase the structural adequacy of the existing wall construction. Beyond the areas requiring repointing, it is our understanding that there were no structural concerns with the existing wall prior to this work being done. It is our opinion that the existing wall remains structurally adequate to support the applied loading.
2. The new rigid insulation and stucco cladding appears to be adequately fastened to the existing brick wall framing beyond. The new cladding will not impose significant loading on the existing wall. It is our belief that the existing wall construction beyond the rigid insulation is structurally adequate to support the new loading imposed by the cladding.
3. The new cladding system will not negatively alter the environmental separation properties of the existing wall assembly. The new cladding system is appropriate to use for an exterior-facing material. It is expected that the new cladding will provide additional insulation value to the existing wall assembly. It is our opinion that the environmental separation properties of the existing wall construction is equal-to or better than it was prior to the new cladding being installed.
4. It is our opinion that the work done on cladding the rear wall of the building should be considered a material alteration or repair in accordance with Part 11 of the 2012 Ontario Building Code (OBC). The performance level of the wall assembly from a Structural (2012 OBC Part 4) and Environmental Separation (2012 OBC Part 5) perspective is at least equal to the performance level of the assembly prior to the work being done.

Attachments/ Pictures:

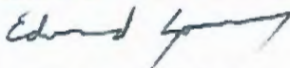
Refer to Appendix A

Requested by:

Oreste Caputo

End of Site Review Report

Centric Engineering Corporation



Edward Gomez, P.Eng.



Appendix A - Site Photographs



Figure 1 - Rear Wall of 341 Talbot Street

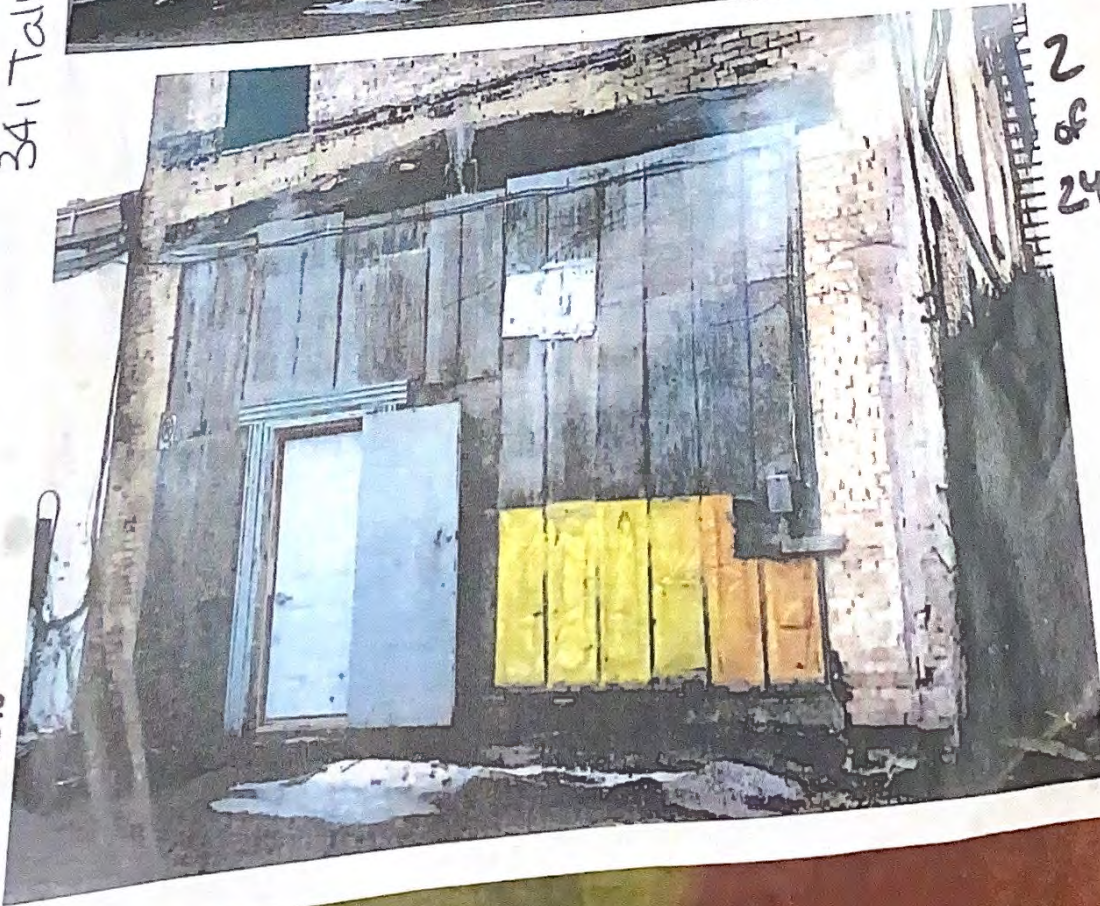
JAN 26 2016

341 Talbot



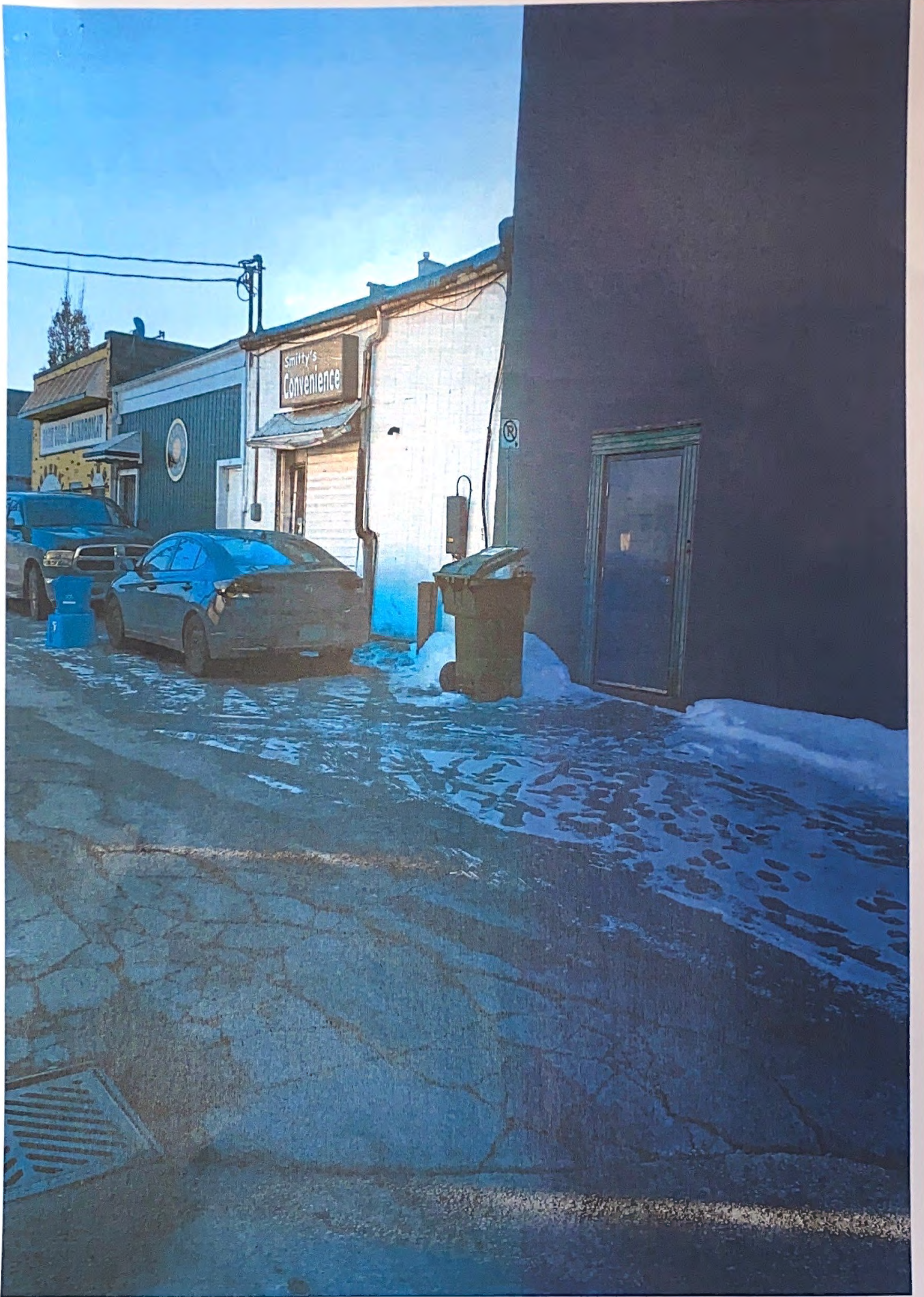
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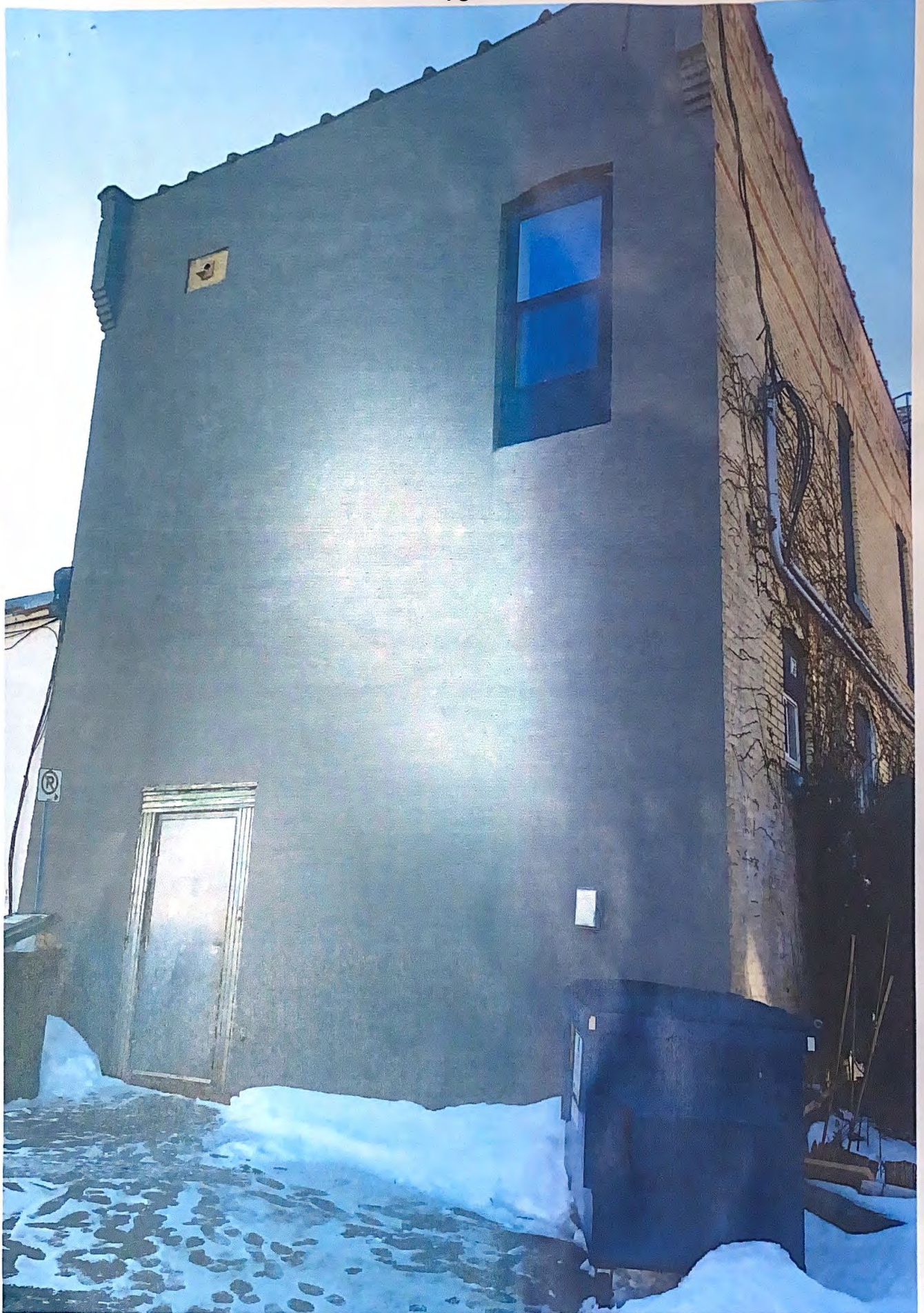
JAN 26 2016



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of
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ORDER
of the
PROPERTY STANDARDS OFFICER

PURSUANT TO SECTION 15.2 (2) OF THE BUILDING CODE ACT, S.O. 1992, c.23

Order No.: PSO-19-052

Order Date: 06 January 2020

ORDER APPLIES TO:

Municipal Address: **341 TALBOT ST, St. Thomas, ON N5P 1B7**
Legal Description: **PLAN 15 PT LOT 11 N/S TALBOT E/S EAST**

ORDER ISSUED TO:

2420275 ONTARIO INC
7281 Kilbourne Rd
London, ON N6P 1K5

TAKE NOTICE that as the property described above is owned by you, or in which you have an interest, and has been inspected by a Property Standards Officer appointed by the City of St. Thomas on or about **30 December 2019** has been found to be not in compliance with the standards set out in the City's By-law No. 80-2019 as amended.

IT IS HEREBY ORDERED, pursuant to Section 15.2 (2) of the Building Code Act, S.O. 1992, c.23, as amended, that the violations set out in the attached **Schedule "A"** be remedied and the property brought into compliance with the prescribed standards. The terms and conditions of this Order and the attached Schedule must be complied with on or before **06 May 2020**.



Alanna Shaw
Property Standards Officer
Planning & Building Services Dept.
City of St. Thomas
Phone (519) 631-1680 ext. 4220

Note:

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency. [*Building Code Act, 1992 s. 20*]
- When the Owner or Occupant upon whom an Order has been served is not satisfied with the terms or conditions of the Order, the Owner or Occupant may appeal to the Property Standards Committee by sending a Notice to Appeal by registered mail to the Secretary of the Committee within fourteen (14) days after service of the Order. The address of the Committee is: The City of St. Thomas, City Hall, P.O. Box 520, St. Thomas, Ontario, N5P 3V7. [*Building Code Act, 1992 s. 15.3*]
- An appeal to the Property Standards Committee carries a \$150.00 administration charge.
- The final date for giving Notice of Appeal from this Order is **27 January 2020**. An Order that is not appealed within the time specified shall be deemed to be confirmed.
- Take notice that if such repair or clearance is not carried out within the time specified in this Order, the Municipality may carry out the repair or clearance at the expense of the owner and place all costs on the tax roll for the property as a priority lien, in accordance with Section 1 of the Municipal Act, S.O. [*Building Code Act, 1992 s. 15.4*]
- Failure to comply with this Order is an offence which could result in a fine. [*Building Code Act, 1992 s. 36*]
- No construction affected by this Order is to be covered until inspected and approved. [*Building Code Act, 1992 s. 13*]

SCHEDULE "A"

Municipal Address: **341 TALBOT ST, St. Thomas, ON N5P 1B7**
 Legal Description: **PLAN 15 PT LOT 11 N/S TALBOT E/S EAST**

The following violation(s) of the City of St. Thomas Property Standards By-law No. 80-2019 (PSB), the Building Code Act, 1992(BCA) and/or the Ontario Building Code, O.Reg. 332/12 (OBC) were observed at the above noted address:

ITEM	DESCRIPTION and LOCATION	
1.	The rear exterior wall of the building has many locations where there are loose and spalling bricks.	
	REFERENCE	
	PSB 4.3.1	An Owner shall maintain all exterior walls, and other exposed surfaces, not inherently resistant to deterioration in good repair.
	PSB 4.3.2	Without restricting the generality of Subsection 4.3.1, good repair includes: <ul style="list-style-type: none"> a) treated with a protective coating of paint or preservative; b) maintained in good repair to prevent deterioration due to weather, insects, rodents or other elements; c) free from loose and unsecured or improperly secured objects and material which may create an unsafe condition; and d) insulation in accordance with the provisions of the Ontario Building Code.
	REQUIRED ACTION	
Provide repairs or apply appropriate finish and contact this office upon completion		

- A Building Permit may be required before any alteration or repair is made to a building or any system therein or before any demolition work is undertaken.

- A Heritage Alteration Permit may be required before any alteration or repair is made to a building or any system therein or before any demolition work is undertaken.

ITEM	DESCRIPTION and LOCATION	
2.	Exterior walls of building have areas where veneer is missing and is installation is showing.	
	REFERENCE	
	PSB 4.3.1	An Owner shall maintain all exterior walls, and other exposed surfaces, not inherently resistant to deterioration in good repair.
	PSB 4.3.2	Without restricting the generality of Subsection 4.3.1, good repair includes: <ul style="list-style-type: none"> a) treated with a protective coating of paint or preservative; b) maintained in good repair to prevent deterioration due to weather, insects, rodents or other elements; c) free from loose and unsecured or improperly secured objects and material which may create an unsafe condition; and d) insulation in accordance with the provisions of the Ontario Building Code.
	REQUIRED ACTION	
Repair/replace the exterior wall sections and provide an appropriate veneer for exterior walls of the building. <i>Contact this office upon completion of the work.</i>		

- A Heritage Alteration Permit may be required before any alteration or repair is made to a building or any system therein or before any demolition work is undertaken.

SCHEDULE "A"

BY-LAW No. 80-2019

Administration Fee for Issuance of Orders

Property Standards Order \$ 200.00

Administration Fee for Registration of Orders against title

Property Standards Order \$ 700.00

Administration Fee for Removal of Orders from title

Property Standards Order \$ 700.00

Administration Fee for Appeals

Property Standards Committee \$ 150.00

Superior Court Judge \$ 300.00

Fees for Services related to execution of Orders

Fees for staff service:

Time - Chief Building Official \$ 75.00 /hour
 Time – Property Standards Officer \$ 50.00 /hour
 Time – Building Services Assistant \$ 50.00 /hour
 Mileage, photocopying, phone, etc. as per City guidelines

External Disbursements actual cost
 (Professional services, contractor services, etc.)

Administration fee 15% of total disbursements

Administration Fee for Issuance of Certificates of Compliance

Residential \$ 200.00 per unit

Commercial \$ 500.00 per unit

Industrial/Institutional \$ 50.00 per 100 m² of building area
 minimum \$ 500.00

Vacant and Derelict property \$ 200.00