

**COMMITTEE OF THE WHOLE - FEBRUARY 10, 2009**

**REVISED HERITAGE PERMIT APPLICATION HP.2008.024.01**

**10360 & 10384 ISLINGTON AVENUE, MARTIN SMITH HOUSE, KLEINBURG**

**APPLICANT: 10360 ISLINGTON AVENUE INC. AND JOSIE AND FABIO ALVIANI - WARD 1**

**Recommendation**

The Commissioner of Community Services, in consultation with the Director of Recreation and Culture and the Legal Department, recommends approval of the following recommendation by Heritage Vaughan Committee:

1. That the revised Heritage Permit Application HP.2008.024.01 (28 November 2008 submission) BE REFUSED for the proposed new construction at 10360 Islington Avenue and 10384 Islington Avenue as it does not comply with the following legislative/policy provisions:
  - 1) Part IV of the Ontario Heritage Act and the unsympathetic new building proposed to the rear of the Martin Smith House and its negative impact to the designated property at 10384 Islington Avenue;
  - 2) Part V of the Ontario Heritage Act and in its relation to the Kleinburg-Nashville Heritage Conservation District Plan and Design Guidelines, with particular reference to the proposal's deficiencies regarding:
    - i. the preservation of the Kleinburg village character;
    - ii. the significance of the properties and new buildings as gateways to the Kleinburg village area;
    - iii. a massing and scale that is in keeping with the historical streetscape;
    - iv. an appropriate building design that is acceptable as an addition to the Martin Smith House property and to the historical streetscape of Islington Avenue in the Kleinburg-Nashville Heritage Conservation District;
    - v. the preservation of views and vistas to and from the valley lands within the Kleinburg-Nashville Heritage Conservation District;
  - 3) The Provincial Policy Statement 2005 of the Ontario Planning Act as it relates to the preservation of significant built heritage resources and significant cultural heritage landscapes (PPS Policies 2.6.1 & 2.6.3);
2. That the massing, form, scale, architectural design and historical architectural references of the new building be redesigned to reflect a contributing and historically appropriate precedent within the Kleinburg-Nashville Heritage Conservation District's village core and a building mass and scale for the one new building that is more compatible with the historic Martin Smith House property and an historic 19<sup>th</sup> century village core; and,
3. That the overall architectural design of the new building having no overall historical precedent as a building style or plan in Kleinburg (or elsewhere in Vaughan), be redesigned to be architecturally appropriate and consistent with a historical precedent, in particular the removal of a garage door facing Islington Avenue that provides access to underground parking, the entranceway design, the overall window design and configuration, balcony and roof design, in keeping with the Kleinburg-Nashville Heritage Conservation District Guidelines and the designated property on which the Martin Smith House is located.
4. That the appropriate City staff and external consultants be directed to attend the OMB in opposition to the Heritage Permit application HP.2008.024.01

### **Economic Impact**

There is no economic impact associated with the approval of this item.

### **Communications Plan**

A public notice with regard to Council's decision regarding this item will be published in the local newspaper as required under the Ontario Heritage Act. The property owners/agent will also be communicated any outcome resolution made by Council as a result of the review of this matter.

### **Purpose**

The subject property is within the Kleinburg-Nashville Heritage Conservation District as designated under Part V of the Ontario Heritage Act and the northern portion of 10384 Islington Avenue is individually designated under Part IV of the Act. The purpose of this report is to allow Council to consider the revised Heritage Permit application HP 2008-024.01 as required under the Ontario Heritage Act.

### **Background - Analysis and Options**

The subject properties are located within the Kleinburg-Nashville Heritage Conservation District and, designated under Part V of the Ontario Heritage Act in 2003. The property at 10384 Islington Avenue contains the Martin Smith House (built in 1852) that was designated individually under Section 29 of Part IV of the Ontario Heritage Act in 1979 through By-law 55-79. The Ontario Heritage Act requires any proposed alterations, additions or demolitions of individually designated property or properties designated within a heritage conservation district to be reviewed by Heritage Vaughan and its recommendation forwarded to Council. Heritage Permit approvals must be obtained by property owners in conjunction with all other necessary City permits or approvals.

The subject lands have been designated within the Kleinburg Core Area by Official Plan Amendment #601, as amended by OPA #633, adopted by Council on May 23, 2006. The current owner has appealed OPA #633 to the Ontario Municipal Board.

### **Jurisdiction Under the Ontario Heritage Act**

The property known as 10384 Islington Avenue (including the Martin Smith House) was designated individually under Section 29 of Part IV of the Ontario Heritage Act in 1979 through By-law 55-79. In 1999, the previous owner of both subject properties, applied for consent to sever the south portion of the subject property to create what is now identified as 10360 Islington Avenue. The Consent approved by the Committee of Adjustment included a condition that the severed portion of the property be removed from designation By-law 55-79. This was accomplished through the passing of By-law 182-2000. The Kleinburg-Nashville Heritage Conservation District was approved in 2003, which includes both properties.

Prior to the amendment of the Ontario Heritage Act (OHA) in 2005, the provisions of Part IV of the Ontario Heritage Act retained jurisdiction over any property that had already been designated individually (through Section 29 of Part IV of the OHA) even after being included in a subsequent Heritage Conservation District (HCD) area. Under the OHA, Part V designated property could only have jurisdiction over an individually designated property within an Heritage Conservation District created before 2005, if the municipality removed the individual (Part IV) designation on the property or if the HCD was revised after 2005. As the City of Vaughan has done neither, the property at 10384 Islington Avenue (Martin Smith House) continues to be under the jurisdiction of Part IV of the Ontario Heritage Act and the property at 10360 Islington Avenue remains under the jurisdiction of Part V of the Ontario Heritage Act.

Designation under Part IV and Part V of the Ontario Heritage Act apply to the entire property (or properties) involved – not just the building(s) located on them. The Reasons for Designation within By-law 55-79 state that the Martin Smith House “...represents the lands once owned by Martin Smith an early pioneer in the Kleinburg area.” The subject proposal would have a detrimental effect on the “original” site and setting of the Martin Smith House.

#### Previous Heritage Permit Applications

The applicant received approval from Heritage Vaughan in 2006 for Heritage Permit 2006.001, involving a 3-storey, multi-family residential building for the south property 10360 Islington Avenue.

In January 2007, a Heritage Clearance Approval was issued to the current owner by Heritage Vaughan for the demolition of a detached, domed observatory structure and detached, gambrel roof garage building. In April 2007, many mature coniferous trees were removed along the southern property line of 10384 Islington Avenue which made a significant change not only to the setting of the Martin Smith House but also to the Islington Avenue streetscape.

At their meeting of 17 August 2007, Heritage Vaughan recommended refusal of an application from the proponent involving Official Plan and Zoning amendment applications to the Development Planning Department to permit the re-location of the Martin Smith House in order to make way for a proposed development involving two, 3.5-storey residential condominiums with 2 levels of underground parking. Both the re-location of the Martin Smith House and the proposed height, massing and design of the new construction were seen by Heritage Vaughan as not in keeping with the Kleinburg-Nashville Heritage Conservation District Plan and Design Guidelines.

On September 12, 2008, the Applicant submitted a complete Heritage Permit application to Cultural Services providing elevation drawings identifying proposed changes to the designated Martin Smith House. Additionally, Cultural Services staff received information related to the Vaughan Planning Department's Official Plan and Zoning By-law Amendment Applications OP.07.004 and Z.07.031 to permit the following on the designated property (Nexus Architects - HIA, Lorelei Jones – Planning Report, Battaglia Architect – Urban Design Report):

- ❑ a multi-unit residential condominium building with 75 units
- ❑ a retirement residence, with 100 units - the existing Martin Smith House to be retained for amenity purposes

The submission included site plan and elevation drawings, a Cultural Heritage Resource Impact Assessment or Heritage Impact Assessment (CHRIA) as well as an Archaeological Resource Assessment.

Cultural Services presented the entire proposal to Heritage Vaughan at its September 17, 2008 Heritage Vaughan meeting, which was refused and subsequently also denied partially by Council on November 10, 2008 pursuant to the following recommendations:

1. *That Council refuse Heritage Permit HP.2008.024 for the proposed new construction/ redevelopment of 10360 and 10384 Islington Avenue (related to Vaughan Planning Department Official Plan and Zoning By-law Amendment Applications OP.07.004 and Z.07.031), as the proposed new construction does not comply with the Kleinburg-Nashville Heritage Conservation District Plan and Design Guidelines as it relates to maintaining the village character, massing and scale, building design and preservation of the valley land views and vistas of the District; and,*
2. *That Council approve only the proposed alterations and restorations to the Martin Smith house, identified as the removal of back addition and construction of side verandahs, subject to the owners providing further*

*information to the satisfaction of Cultural Services staff as it relates to the matching of side porch overhangs, window muntin bars in back portion a back door design; and,*

- 3. That as the proposed development will be a gateway feature into the Heritage District, it is recommended that the applicant reduce the mass and scale of the proposed new condo/retirement building be in keeping with the height recommendations in place through the Kleinburg-Nashville Heritage Conservation District Plan to ensure that the new construction is sympathetic both to the Martin Smith House and the Islington Avenue heritage streetscape character and appropriate heritage design precedents established in the Kleinburg-Nashville Heritage Conservation District; and*
- 4. That as the proposed new building being well beyond the maximum height of 3-storeys (rising up to 5 storeys) and the building size & scale (just under 90,000 sq ft GFA) does not follow any precedent in Kleinburg or Nashville for any use especially residential, that the owner reduce the height, overall size, massing and scale of the building; and,*
- 5. That the applicant break up the massing of the building further than simply stepping the roofline from east to west or north and south to avoid presenting a profile which is too large when seen from Islington Avenue or from Highway 27, Nashville Road and in the valley to the west.*

The site specific Official Plan Amendment and Zoning By-law Amendment applications have been appealed to the Ontario Municipal Board and are currently scheduled for a hearing which will commence in 2009. The Heritage Permit application appeal has also been filed with the OMB but was the subject of a motion brought by the City on January 14, 2009. A decision is currently outstanding.

#### Analysis of Revised Heritage Permit Application HP.2008.024.001 (28 November 2008)

On November 28, 2008, Cultural Services along with other City of Vaughan Departments received a revised permit submittal. This submittal included revised site plan and elevation drawings illustrating a revised proposal for new construction spanning the subject properties, a revised Heritage Impact Assessment prepared by Nexus Architects (9 December 2008).

The proposal received by Cultural Services on November 28, 2008 shows some changes with respect to the issues outlined on Council's recommendation of November 10, 2008. These changes are as follows:

- ❑ Site plan changes from one large building to one which gives the appearance of two buildings linked at the rear of the site by a one storey structure.
- ❑ The architectural style of the new building was altered from a modern flat roofed building to a building with Victorian architectural detailing on a contemporary-styled multi-unit built form.

Although the revised development proposal received by Cultural Services on 28 November 2008 does present a site plan and elevations which are somewhat different from those submitted to Committee of the Whole on 10 November 2008, the revised scheme still does not comply with either Part V of the Ontario Heritage Act (through the Kleinburg-Nashville Conservation District Plan and its Design Guidelines) or Part IV of the Ontario Heritage Act and the designation of the Martin Smith House property. This non-compliance relates to:

- I. the preservation of the Kleinburg village character;
- II. the significance of the properties and new buildings as gateways to

- the Kleinburg village area;
- III. a massing and scale that is in keeping with the historical streetscape;
- IV. an appropriate building design that is acceptable as an addition to the Martin Smith House property and to the historical streetscape of Islington Avenue in the Kleinburg-Nashville Heritage Conservation District;
- V. the preservation of views and vistas to and from the valley lands within the Kleinburg-Nashville Heritage Conservation District;

#### Preservation of the Kleinburg Village Character

Cultural Services recommend that the overall size of the proposed construction is still too large to be considered in keeping with "village character" or with what is referred to in Section 9.1 of the K-NHCD Plan as the "heritage character of the District". Cultural Services staff are of the opinion that the cultural heritage significance of the Martin Smith House is more than simply the house structure itself -- the current setting with the Smith House sited at the top of a small, natural hill or knoll has become an important character defining element for the Smith House.

Section 9.5.1 of the K-NHCD Design Guidelines describes the overall heritage character of the district. It states that the overall character has more significance than any individual building, even if it is one of the finest. The same section of the Design Guidelines states that new development should conform to qualities established by neighbouring heritage buildings and that:

"Massing, materials, scale, proportion, rhythm, composition, texture and siting all contribute to perception of whether or not a building fits its context. Different settings within the district have different characters of siting, landscaping and streetscaping." (page 110).

The Canadian Federal Government, through Parks Canada, have long adhered to the "*Standards and Guidelines for the Preservation of Historic Places in Canada*". These Standards and Guidelines are based on universally recognized architectural conservation principles inspired by international heritage conservation charters such as the Venice Charter, the Appleton Charter and the Washington Charter.

Of the Parks Canada general standards that are seen as the norm for the conservation of all types of heritage resources, the following are most applicable in the case of the Martin Smith House and property.

[1] "Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character defining elements."

[2] "Conserve changes to a historic place which, over time, have become character defining elements."

[11] "Conserve the heritage value and character-defining elements when creating any new additions to a historic place or any related new construction. Make new work physically visually compatible with, subordinate to and distinguishable from the historic place."

In reference to the general standards above, the real property on which the Martin Smith House stands has become a character-defining element. In common memory, the house has always been seen as sitting on a knoll surrounded only by an expansive slope of grass lawn and framed by tall coniferous trees along the property perimeter. On page 7 of the revised Heritage Impact Assessment (HIA), the heritage consultant describes how the owner/applicant has already removed many of the trees which have been part of the character definition of the historic property; how the owner/applicant has not maintained the "lush manicured lawn". The HIA proposes that the installation of some potted and hanging plants (probably annuals) and the planting of a "decorative flower garden across the front of the house, preserves some of the landscape qualities indicated in earlier photos". This is an insufficient form of mitigation which fails to address the much larger loss of the historical backdrop of the Kleinburg historic core.

Further, the proposed new development does not fit in the context or character of a 19<sup>th</sup> century village core that the Heritage Conservation District aims to protect and enhance. Its scale or design has no precedent in Kleinburg's village core and is not suitable in preserving the historical context of the Martin Smith House.

#### Subject Properties as a Gateway to the Kleinburg Village Area

The subject properties are located on the west side of Islington Avenue and are the first series of buildings that appear as you enter the historic village core of Kleinburg. They will become gateway features to the village core and a significant landmark to the Kleinburg-Nashville Heritage Conservation District. The design, mass and scale of the new development at this site will be important in maintaining the architectural integrity of the District.

This setting and the inherent relationship of building to its associated property landscape constitutes a "prominent location" and is a major contributor to the historical and current Islington Avenue streetscape at the south entry to the Kleinburg Village core as a character-defining element. Cultural Services recommends that the historical setting be conserved so that those elements which define its historic character and context are preserved.

Nexus Architects state in their revised Heritage Impact Assessment of 9 December 2008 (page 3) that the Martin Smith House location is already a "symbolic gateway".

*"The prominent location of the Martin Smith House at the south end of the village has been of cultural significance throughout the last century and a half as the symbolic gateway between village and rural countryside."*

It would, therefore, be advisable to preserve the way in which the Martin Smith House and its property present itself as a marker of this traditional boundary. The overall effect of the proposed development would be that of adding a large wall around the southwest corner and the west face of this gateway the Kleinburg core. The proposed development does not serve to provide a transition from an existing village setting to a higher density of an urban area to the south.

#### Massing and Scale

The proposed Building B, is not in keeping with the height recommendations in place through the Kleinburg-Nashville Heritage Conservation District Plan. Section 9.5.2 of the Kleinburg-Nashville Heritage Conservation District Design Guidelines. The building has the appearance of 4-storeys in height, and as such, it overpowers the modest yet fine proportions, massing and form of the Martin Smith House. Thus, the resulting scale of the proposed building is not sympathetic to either the Martin Smith House or the Islington Avenue heritage streetscape character. Furthermore, appropriate design precedents have not been accurately selected or referenced appropriately.

The new proposal has begun to mitigate some of the negative impact of the building's proposed mass and scale by reducing its overall height but Cultural Services still feels that the proposed building's mass, scale and height are still larger than what is allowable and, therefore, not appropriate within the Kleinburg-Nashville Heritage Conservation District.

- overall form (square apartment building form with varied rooflines, apparent 4-storey height) and excessive repetition of small window and door openings and generically articulated or not in keeping with "village character" or any other precedent approved within the K-NHCD

- the form, massing and design detailing selection as a whole does not have a historically accurate precedent in Kleinburg, or areas outside Vaughan.

The proposed building on 10834 Islington (Building A) does not compliment the Martin Smith house in the referenced precedent of its design, and is completely disassociated from the history or any fitting building type that could be associated with the history of the Part IV property.

Building A is shown at 9397mm high to midpoint of first gable (Front elevation), which is approximately estimated as three stories, however, the majority of its roof area seems to be made of a flat roof, which would raise its effective building height datum to the top of the flat portion, therefore it is the opinion of Culture staff that the height is not shown accurately.

Building B shows a similar case, where the building height is given to the midpoint of the front gable, however, the building stretches out behind for almost its entire building footprint area at a height that is correspondent to four storeys and significantly overpowering the Martin Smith house in height by at least one storey – this is considering that the house is on a higher grade, otherwise, in scale, it is approximately two storeys above the designated structure.

For Building B, both the south elevation and the front elevations are crucial to the Islington streetscape as this would be the first structure within the Heritage District and it acts as an important gateway into it and sets the mark for the District's characteristics.

Staff still have concerns that the proposal still shows one large building which spans into the Part IV designated property and materializes on this side to a structure that is not related in any precedent to the history of the designated site.

#### Views and Vistas

It is Culture staff's opinion that the size of the building will still be seen and negatively impact the westerly valley lands, in particular, from views and vistas from Highway 27 and Nashville Road. The preservation of the natural valley lands, free from building masses, was identified in the Kleinburg-Nashville Heritage Conservation District as being an integral characteristic of the area that should be preserved.

#### Architectural Detailing

That the overall architectural design of the new buildings have no overall historical precedent as a building style or plan in Kleinburg (or elsewhere in Vaughan) and should be redesigned to be more architecturally accurate in particular the removal of a garage door facing Islington Avenue that provides access to underground parking, the entranceway design to Building B, the overall window design and configuration, and balcony design etc are not appropriate architectural details as required by the Heritage Conservation District Guidelines.

#### Provincial Policy Statement 2005 of the Ontario Planning Act

The provisions of the Ontario Planning Act (Section 2 (d) and Section 3 (1) and (5a) require that municipalities shall have regard to matters of provincial interest (including the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest) and that municipal decisions shall be consistent with policy statements that have been approved by the Lieutenant Governor in Council on matters relating of provincial interest. The Provincial Policy Statement (PPS) 2005 of the Ontario Planning Act identifies two statements that provide municipalities with direction on land use planning matters and heritage properties:

PPS 2.6.1. states that “*significant built heritage resources and significant cultural heritage landscapes shall be conserved.*” In the case of the proposed development, the scale and massing and architectural design of the proposal does not conserve the Martin Smith House and the Kleinburg-Heritage Conservation District. The Smith House is lost within the new building proposed for the site and the 19<sup>th</sup> century village core of Kleinburg identified as a significant aspect of the Heritage Conservation District will not be conserved.

PPS 2.6.3. states that “*development and site alterations may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*”

In the case of the proposed development, it is recommended that the proposed two new buildings on the subject lands, their mass and scale and architectural detailing, do not conserve the heritage attributes of the Martin Smith House and the Kleinburg Village core/Heritage Conservation District.

### **Relationship to Vaughan Vision 2020/Strategic Plan**

In consideration of the strategic priorities related to Vaughan Vision 2020, the report will provide:

- STRATEGIC GOAL:  
Service Excellence - Providing service excellence to citizens.
- STRATEGIC OBJECTIVES:  
Preserve our heritage and support diversity, arts and culture.

This report does not recommend a change from the priorities previously set by Council and the necessary resources have been allocated

### **Regional Implications**

None

### **Conclusion**

The revised Heritage Permit is recommended to be refused as it does not comply with legislative/policy provisions under Part IV of the OHA and the unsympathetic new building proposed to the rear of the Martin Smith House and its negative impact to the designated property at 10384 Islington Avenue. In addition, it does not comply with Part V of the Ontario Heritage Act and in its relation to the Kleinburg-Nashville Heritage Conservation District Plan and Design Guidelines. The proposal contradicts the Provincial Policy Statement 2005 of the Ontario Planning Act as it relates to the preservation of significant built heritage resources and significant cultural heritage landscapes (PPS Policies 2.6.1 & 2.6.3) and architectural preservation standards nationally instituted by Parks Canada. Lastly, it is recommended that the massing, form, scale, architectural design and historical architectural references of the new building be redesigned to reflect a contributing and historically appropriate precedent within the Kleinburg-Nashville Heritage Conservation District's village core and a building mass and scale for the two new buildings that is more compatible with the historic Martin Smith House and an historic 19<sup>th</sup> century village core; and the overall architectural design of the new building having no overall historical precedent as a building style or plan in Kleinburg.

### **Attachments**

1. Elevation Drawings and Site Plan, Heritage Impact Assessment.

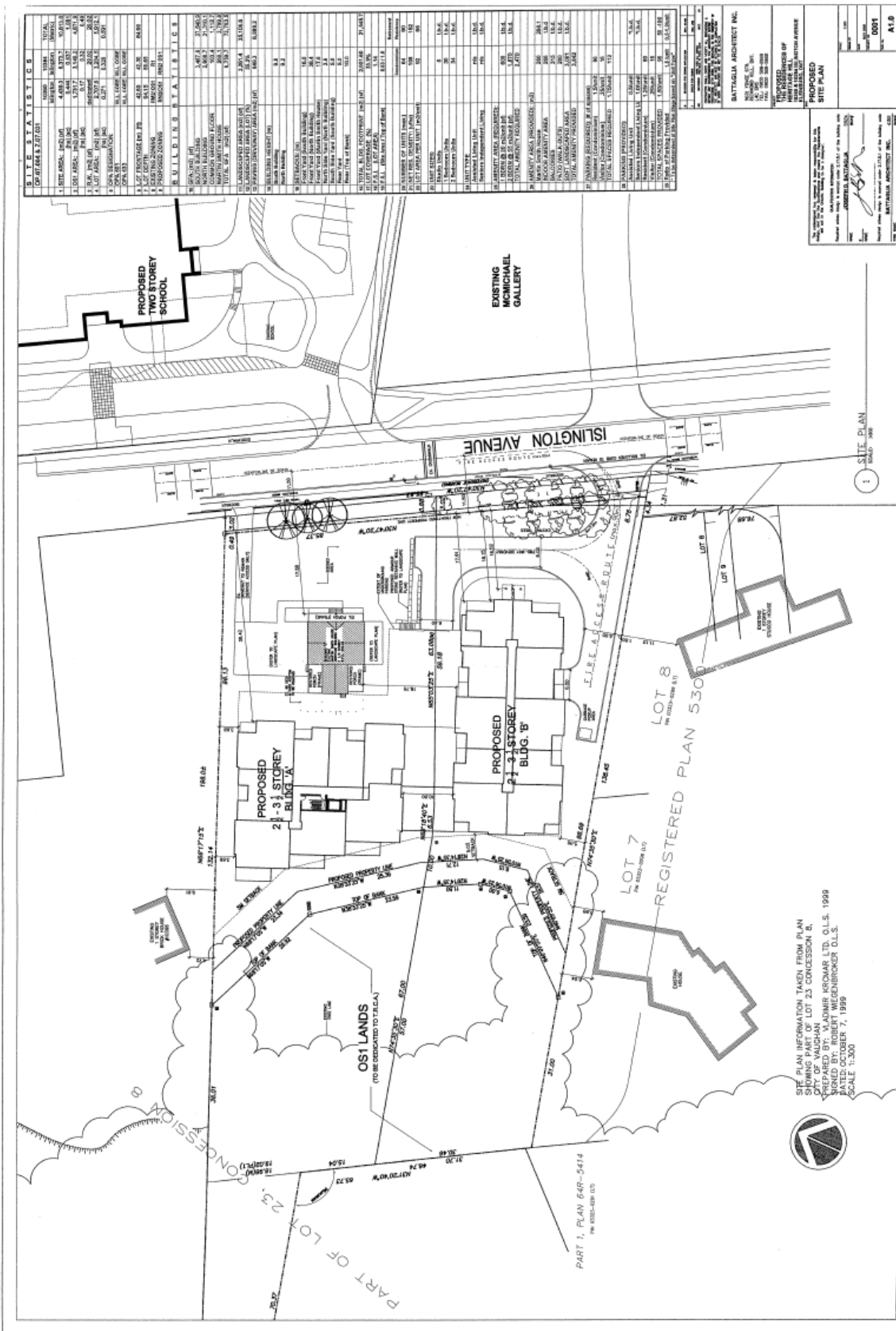


**Report Prepared By**

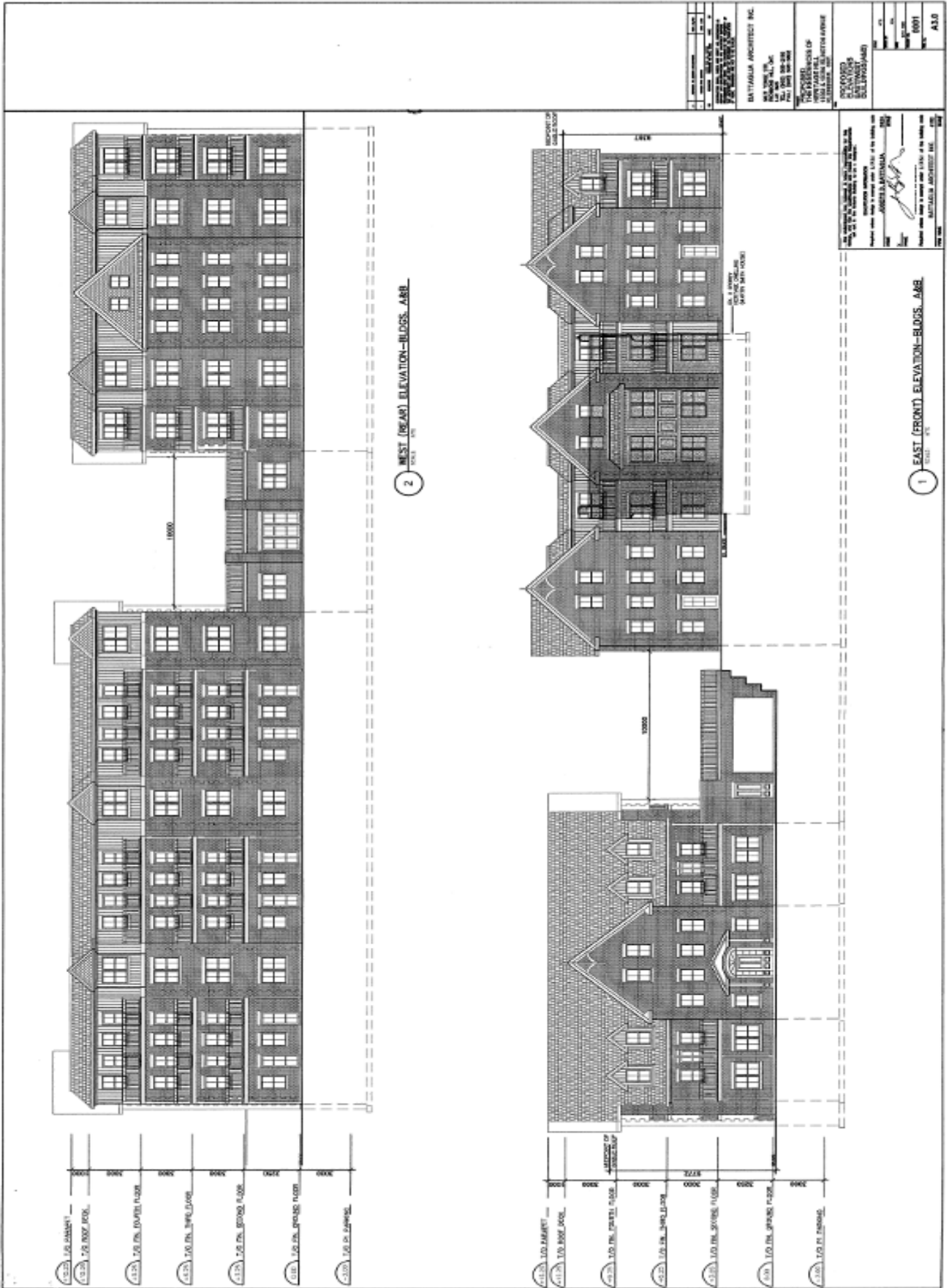
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Respectfully submitted,

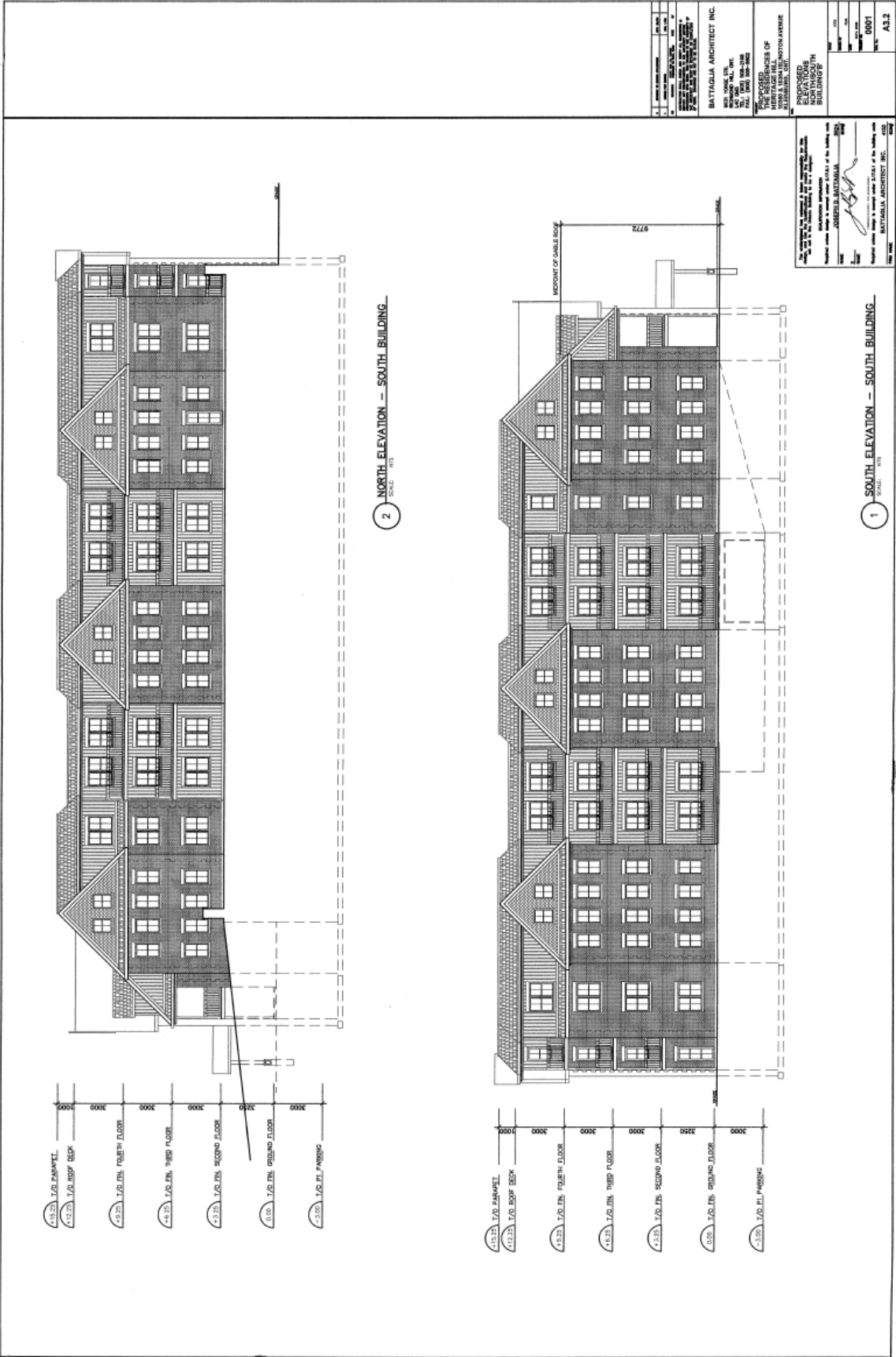
Marlon Kallideen  
Commissioner of Community Services



Proposed Site Plan (28 November 2008)



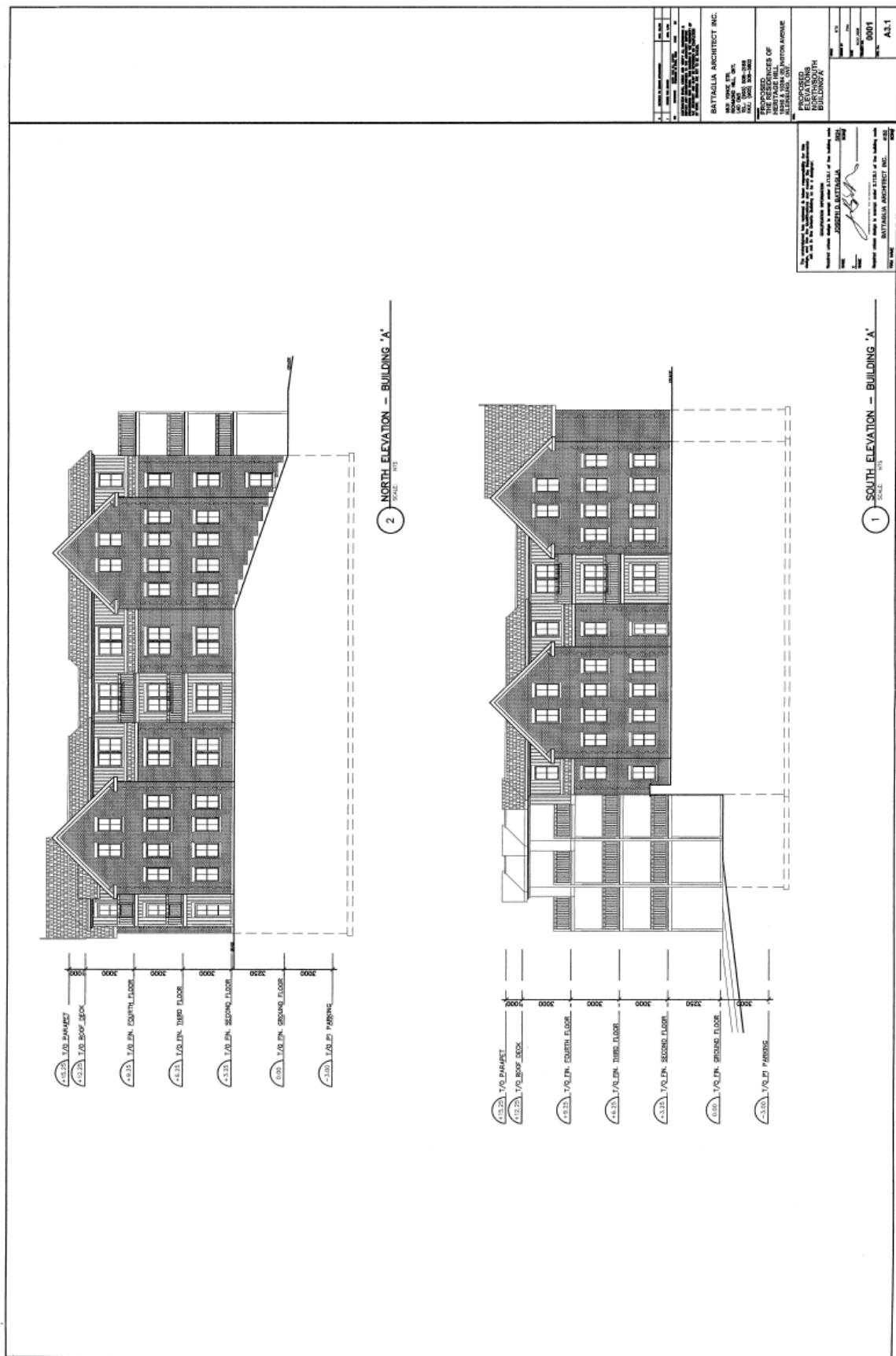




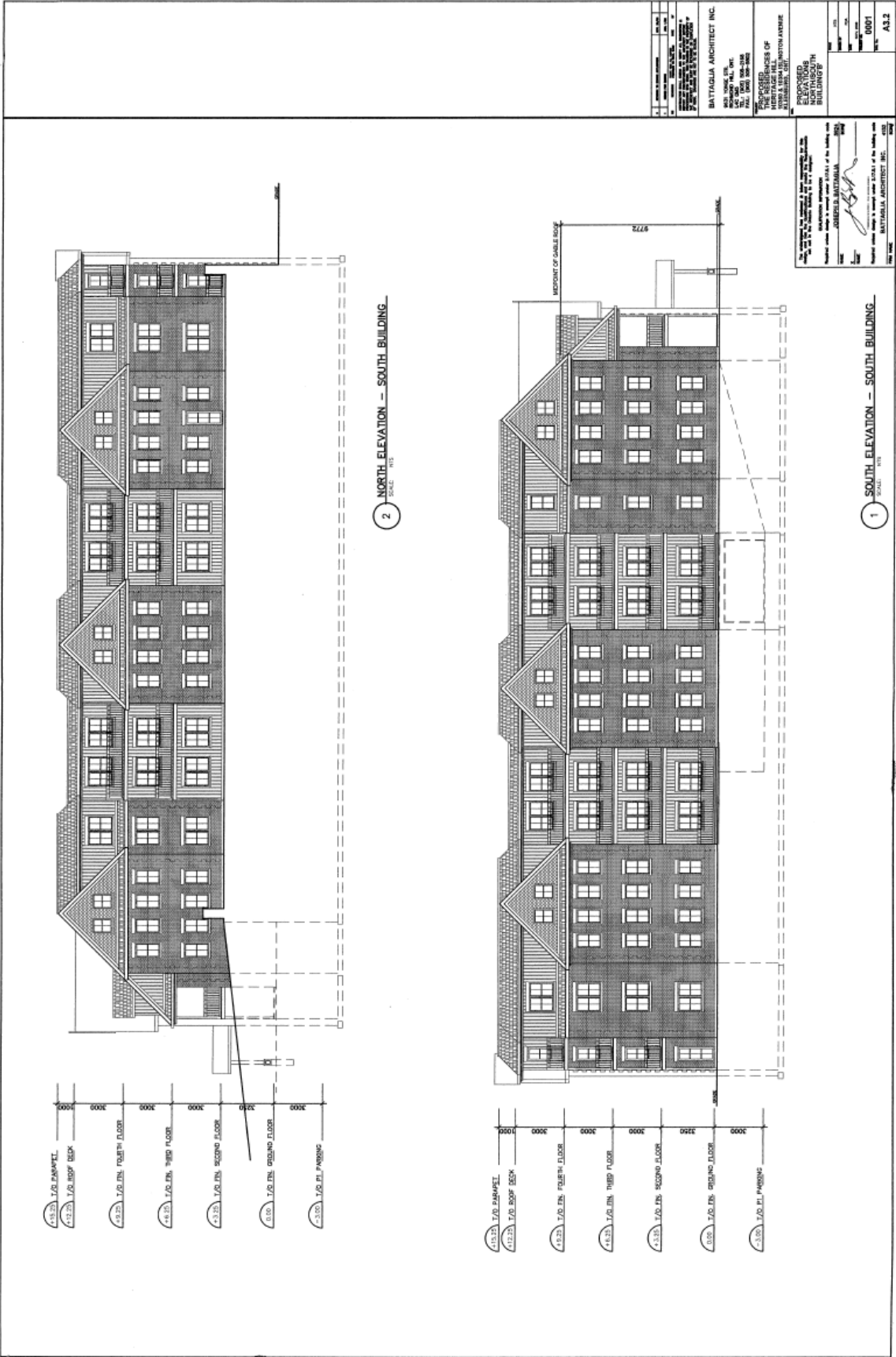
Proposed Site Plan (28 November 2008)

Proposed Side Elevations "Building B" (28 November 2008)





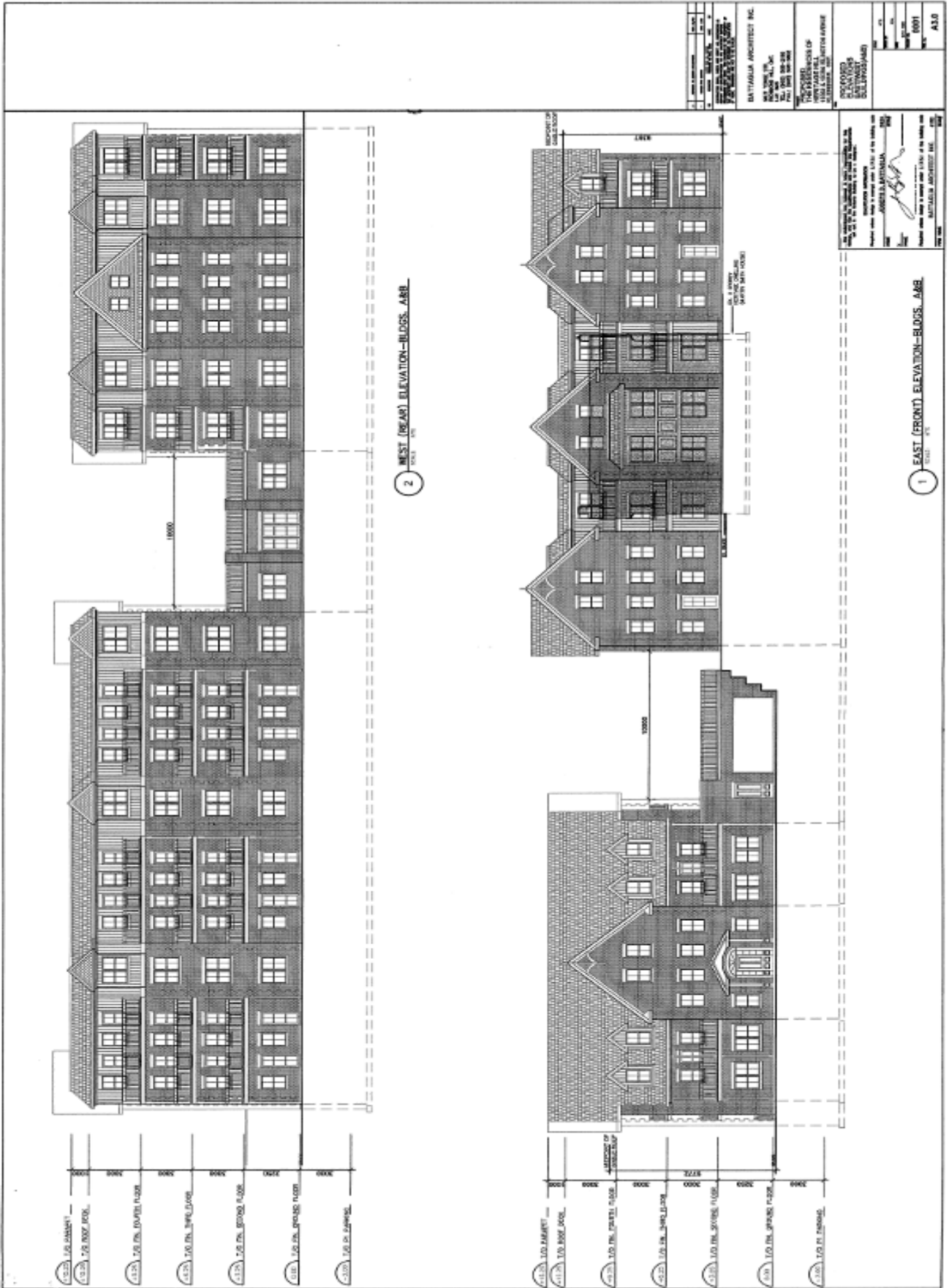
Proposed Side Elevations "Building A" (28 November 2008)

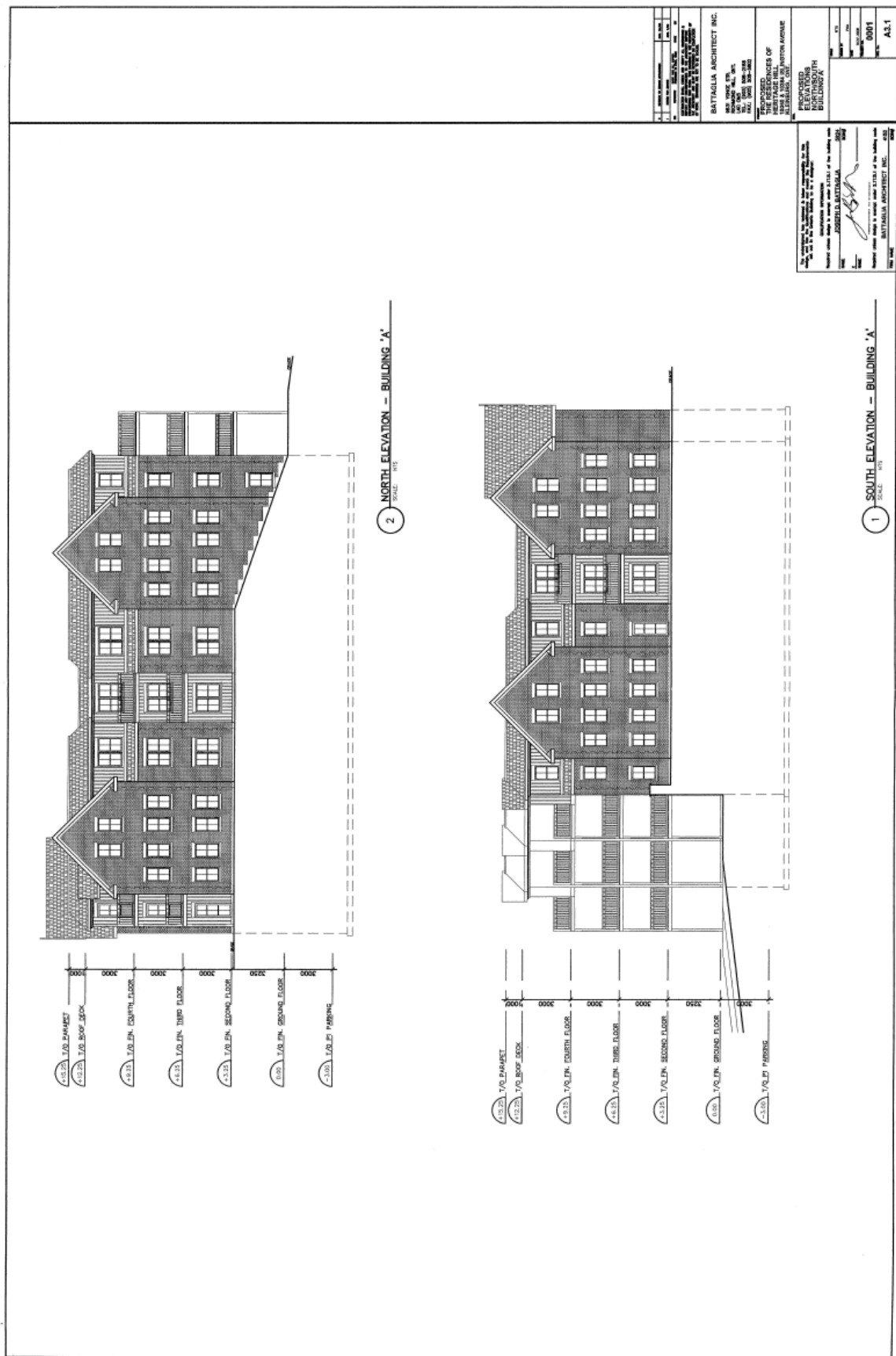


Proposed Site Plan (28 November 2008)

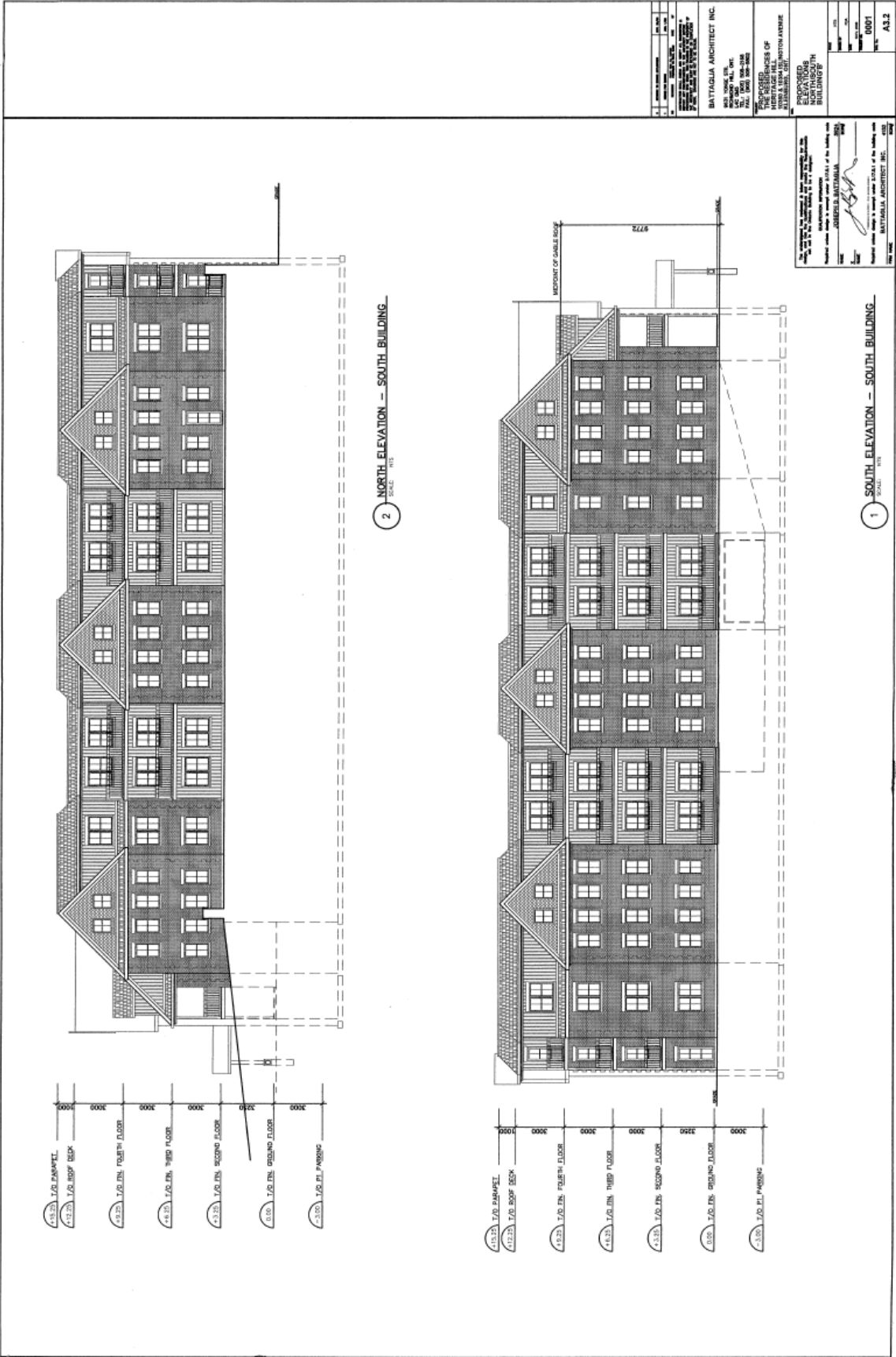
Proposed Side Elevations "Building B" (28 November 2008)







Proposed Side Elevations "Building A" (28 November 2008)



Proposed Side Elevations "Building B" (28 November 2008)

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# Martin Smith House Heritage Impact Assessment

10384 Islington Avenue, Kleinburg, Ontario



**Martin Smith House built 1852 photo c. 2000 by Stephen Robinson**

PREPARED BY  
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REVISED 9 DECEMBER 2008

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## **HERITAGE IMPACT ASSESSMENT**

The Martin Smith House also known as “Redcroft” and the Dawson House  
10384 Islington Avenue, Kleinburg, Ontario

### **1.0 EXECUTIVE SUMMARY AND INTRODUCTION TO REVISED REPORT**

An earlier Heritage Impact Assessment was prepared and issued 4 June 2008 regarding an earlier proposal for the development of the lands containing the Martin Smith House. The current development proposal is significantly changed from the earlier version and precipitated the revisions contained in this report.

The purpose of this Heritage Impact Assessment is to record the heritage assets at 10384 Islington Avenue and to assess the impact of the proposed development by Heritage Hill Developments Corporation on those assets and to indicate methods of mitigating any negative impact.

This report is prepared based on the Guidelines for Cultural Heritage Resource Impact Assessment Reports issued by the City of Vaughan, March 2006, and using principles for heritage conservation as recommended by the Ontario Ministry of Culture Heritage Toolkit, and as suggested by the Kleinburg-Nashville Heritage Conservation District Study and Plan (2003)

The current design proposal is attached in Appendix A – Design Drawings, Revision 2, 26 November 2008, as prepared by Joseph Battaglia Architect, in conjunction with Fabio Alviani, Architectural Technologist.

Nexus Architects was retained by 10360 Islington Avenue Inc. operating as “The Residences of Heritage Hill” to provide the Heritage Impact Assessment as required by the City of Vaughan for the development review process.

This document identifies the heritage assets of the site, provides information on the existing building condition, and outlines both the development proposal and the conservation strategy.



## 2.0 CONTEXTUAL BACKGROUND

A brief history of the events leading up to this report includes:

- 1848 -the first European settlements in the area.
- 1852 -Martin Smith builds the original brick farmhouse.
- By 1860 a village had grown at Kleinburg around several mills
- 1950's –postwar suburban development surrounding Toronto encroaches on Kleinburg.
- January 2006, Heritage Hill proposes to build 15 unit apartment at 10360 Islington Avenue (property immediately south of Martin Smith).
- January 2008, Heritage Hill revises proposal to include property at 10384 Islington Avenue (Martin Smith house) and to build 75 unit apartment.
- December 2008, Heritage Hill revises proposal to reduce size and massing of new buildings and to build 64 apartment units.

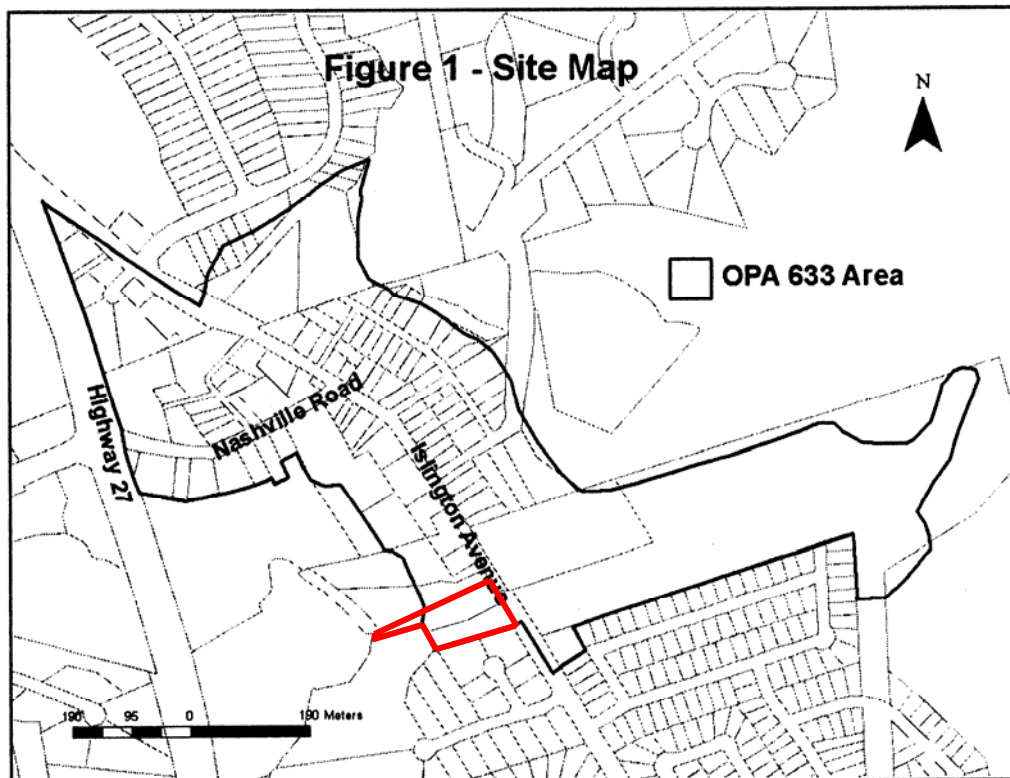


Figure 1 -showing subject property (shaded) within Kleinburg

### 3.0 HERITAGE VALUE

The Heritage value of the Martin Smith house lies in its history, its long-standing cultural connection to the community, and its architectural merits.

#### 3.1 Historical

As mentioned in the Contextual Background section of this report, the historical value of the Martin Smith House lies in its 156 year presence in the community of Kleinburg since the very earliest founding of that community.

*The Smiths' were some of the earliest settlers of the Kleinburg area and this house reflects their success and hard work in the establishment of a homestead.<sup>1</sup>*

#### 3.2 Cultural

The prominent location of the Martin Smith House at the south end of the village has been of cultural significance throughout the last century and a half as the symbolic gateway between village and rural countryside. It is the first significant village building approaching from the south, and conversely, it is the first significant farm house approaching from the village, although the farm lands associated with the house have now been sub-divided and developed. The house still represents that cultural history of farming in this area now devoted to other pursuits.

*The farm originally covered 150 acres, a large part of which is now the McMichael Conservation Area.<sup>2</sup>*

#### 3.3 Architectural

The Architectural value of the Martin Smith house has been well documented over the years, including the Designation process under the Ontario Heritage Act, Part IV in 1979, by Mary Byers in her book Rural Roots, 1976 and the Inventory Record from the Kleinburg-Nashville Heritage Conservation District Study in 2003. Extracts from these documents are included in the appendix to this report, and as follows:

*Description – Elegant red-brick farmhouse has all the features typical of its type, including projecting buff-brick quoins at all corners. Front deck is reached by small flight of wooden steps without handrails, and bell-cast verandah is supported by elegant wooden piers (treillage) formed of multiple wooden sections and with Gothic elements of lancet aperture with tracery, and quatrefoil above, set within piers. Fine fretwork gingerbread comprises abstracted anthemions, and arabesques to either side, and a band of wooden swags and tassels spans full width of verandah adjacent eaves. Ceiling of verandah is open to framing and decking above. Central entry contains unusual door with single, vertical panel within very wide, profiled moulding.*



*Adjacent,  $\frac{3}{4}$  glazed sidelights contain three, ogee-headed panes with stained glass spandrel panes, over single wooden panels in bolection mouldings. Elliptical arch above has rubbed-brick voussoirs and contains stained-glass transom window. Wide threshold is dressed stone, and door recess itself is trimmed with frames and panels as at sidelights. To either side of door, front windows are 6/6 units (behind metal storms) over thick wooden sills, set within segmental arches having ribbed brick voussoirs. Window shutters appear recent. At upper level, single central 1/1 window has sill and arch as described, and is set within later, steeply pitched brick gable. Series of deep mouldings crowns wall-head, extending also into central gable and below gable returns at north and south elevations. Soffits are clad in plain boards, as are fascias, except at front, which has fine shingle moulding. Modern, ogee aluminum gutters exist at front eaves, with conventional aluminum downspouts, and roofs are clad in black asphalt shingles. Broad chimney at south gable is diminished portion of original chimney, while north gable has later, single-vent red-brick chimney. A single lightning rod exists on front gable.<sup>3</sup>*



**Figure 2 -Martin Smith c. 2000 photo by Stephen Robinson**

## 4.0 EXISTING BUILDING CONDITION

### 4.1 As reported in 2003

*Elegant house is in good repair, and requires only removal of metal storms (internal sull-sashes are double glazed alternative), modern shutters and rebuilding of south chimney to restore original appearance.*<sup>4</sup>

### 4.2 Current condition 2008

As reported in the Kleinburg-Nashville Heritage Conservation District Study (2003), there is evidence that the current exterior form and massing of the Martin Smith house is a compilation of components, alterations and additions over the period since the house was first built in 1852. The original house was most likely a simpler design of Georgian style, without the newer peaked gable and window in the centre of the front façade, and possibly without the elegant verandah details. The original rectangular box and its brick kitchen “tail” subsequently had additions over a period of years to enclose the north-west and south-west corners and to add a western addition, and later to enclose the recess that sheltered the outside stairs to the basement.



**Figure 3 -Gable and window added since original construction**

Clearly the additions that included the central peaked gable and window on the east elevation and the bell-cast verandah were undertaken with high quality skills and materials, and would be considered as a worthy record of appropriate interventions. However, a number of the later changes and additions prove to be poorly planned and executed alterations that were undertaken, it would seem, as an expedient solution to various whims and problems. The installation of a furnace in the basement

precipitated the expedient solution of attaching a new exterior chimney to the north elevation, rather than adapting the existing chimney on the south. Various other additions of porches and porch enclosures have grown “like Topsy” without much care or planning, concealing older, and possibly more appropriate heritage record.

Although the basic structure appears to be sound, there are tell-tale indications of deterioration that should be corrected to ensure the longevity of this building. The stone foundation wall has been parged in most locations, probably to attempt to stabilize displaced stones and to assist in waterproofing and weatherproofing the foundation. However, this parging has not corrected the principal problem of localized settlement of the foundation and continuing displacement of individual stones.



**Figure 4 -Brick deterioration, poor repairs and shutter details**

The exterior brick walls are double wythe brick with header courses every fourth course. This is a superior wall construction, but it too is showing signs of deterioration. Diagonal cracking through the mortar joints suggests differential settlement of the stone foundations below. Loose and cracked mortar, and mortar of hard cementitious varieties indicate that extensive repointing of the historic brick walls to heritage standards is overdue.

The exposed wood finishes of the windows, doors, verandah and other trim has deteriorated and requires appropriate refinishing and in some cases the judicious repair or replacement of wood components. As the inventory report suggests, the existing aluminum storm windows and mis-sized shutters do not enhance the original character of the building and should be considered for replacement.



There are indications on the interior of the house that the structural system of bearing walls and beams and columns and piers has been compromised by deterioration and by inappropriate alterations. The floors and roof are no longer level and flat. The roof ridge has developed a noticeable curve. Further structural investigation and possible bracing and/or jacking may be necessary to stabilize the building or to restore the original lines and levels.



**Figure 5 -Martin Smith House (Redcroft) - Photo Nexus Architects 2007**

Since the 2003 report was written, the property has been purchased by Heritage Hill Developments and maintained by them. The house has been maintained in good condition and has been used as a temporary office location, reducing deterioration by frost and other risks. The site has been changed by the removal of a number of the trees previously associated with the appearance of the house, and the installation of additional, temporary gravel paving to provide access. The lush manicured lawn that was the front yard has not been maintained, but many potted and hanging plants on the verandah and the planting of a decorative flower garden across the front of the house, preserves some of the landscape qualities indicated in earlier photos.

In September 2008, the current Owners applied for a Heritage Permit to allow the demolition and removal of the most recent and poorly constructed additions on the back and sides of the original house. The City of Vaughan agreed to allow this demolition to proceed with the following recommendation:

*That Council approve only the proposed alterations and restorations to the Martin Smith house, identified as the removal of back addition and construction of side verandahs, subject to the owners providing further*

*information to the satisfaction of Cultural Services staff as it relates to the matching of side porch overhangs, window muntin bars in back portion and back door design<sup>5</sup>*

## 5.0 DEVELOPMENT STRATEGY

### 5.1 – Prior to Heritage Hill Developments purchase of Martin Smith house.

In 2005, Heritage Hill owned the property to the south of Martin Smith at 10360 Islington Avenue, and submitted plans and acquired permission to construct a three storey condominium apartment with fifteen units, aligned with the short façade of the building facing Islington. Permission was granted by the City of Vaughan for this proposal in March 2005, but was not developed.

### 5.2 – Initial proposal to develop Martin Smith site.

By 2007, 10360 Islington Avenue Inc. and J. and F. Alviani had acquired the Martin Smith property at 10384 Islington Avenue, and submitted plans to construct a four storey condominium apartment with forty seven units on each of the two properties (10360 & 10384). Each building was aligned with the short façade towards Islington, leaving a triangular space between the buildings where the heritage farmhouse, the Martin Smith house, was to be relocated, near the street, and deeded to the Municipality for public use. This proposal met strong resistance from Heritage Vaughan which recorded the following recommendation at its meeting April 18, 2007:

*That, the Martin Smith House ("Redcroft"), as an extremely valuable building within the Kleinburg-Nashville Heritage Conservation District, must be preserved in its present location and any changes or additions to the exterior of the building must be reviewed and approved through the Heritage Permit process.<sup>6</sup>*

### 5.3 – October 2007 proposal to develop Martin Smith site.

In October 2007, Heritage Hill brought forward an alternative to develop the two sites at 10360 & 10384 Islington Avenue leaving the heritage building, Martin Smith, in its original location and constructing an L shaped building across the back of the Martin Smith site and projecting towards Islington Avenue on the south property and containing 75 condominium units (or 100 seniors' residents units). This proposal was refined and adjusted to respond more sympathetically to the presence of the Martin Smith house by aligning the geometry of the building with the axis of symmetry of the heritage house, by stepping back the façade of the new building in the area adjacent top the heritage house, and by introducing a landscaped enclosure reminiscent of the original landscaped yard in archived photos of the original house. The revised development proposal was submitted to the City for Heritage approval.

However this proposal met objections from Heritage Vaughan, City Staff and Council for its scale and massing, for the commercial appearance of the architectural style, and for blocking the vista beyond the Martin Smith house to the west towards the Humber Valley. The recommendations were:

*That as the proposed development will be a gateway feature into the Heritage District, it is recommended that the applicant reduce the mass and scale of the proposed new condo/retirement building to be in keeping with the height recommendations in place through the Kleinburg-Nashville Heritage Conservation District Plan to ensure that the new construction is sympathetic both to the Martin Smith House and the Islington Avenue heritage streetscape character and appropriate heritage design precedents established in the Kleinburg-Nashville Heritage Conservation District<sup>7</sup>*

*That as the proposed new building being well beyond the maximum height of 3-storeys (rising up to 5 storeys) and the building size & scale (just under 90,000 sq ft GFA ) does not follow any precedent in Kleinburg or Nashville for any use especially residential, that the owner reduce the height, overall size, massing and scale of the building<sup>8</sup>*

*That the applicant break up the massing of the building further than simply stepping the roofline from east to west or north and south to avoid presenting a profile which is too large when seen from Islington Avenue or from Highway 27, Nashville Road and in the valley to the west<sup>9</sup>*

#### 5.4 – December 2008 proposal to develop Martin Smith site.

The previous proposal has been changed to respond to the comments from Staff. The scale has been reduced and the massing has been articulated by dividing the proposed building into two main blocks and reducing one floor in height. The total floor area has been reduced to shrink the scale of the building. The two new buildings are no longer conjoined and provide a view corridor to the west in the middle of the site. The architectural style has been revised to avoid the flat roof line that was considered by staff to be inappropriate adjacent to the Martin Smith house. The details of the architectural style are interpretations of traditional Victorian architecture, using peaked roofs, dormer windows, decorative gable treatment, dichromatic brick facades with buff quoins and window trim on a field of red brick. As suggested by the Heritage Conservation District Plan, the appearance of the buildings now reflect the image of an enlarged Victorian complex such as a mill or estate.

The site planning of this proposal respects the restrictions imposed by the zoning bylaws for set backs from property lines to the north, south and east, restrictions imposed by the Conservation Authority for set backs from the Top of Bank of the

Humber River valley to the west, and for appropriate spacing from the existing heritage asset, the Martin Smith house.

In addition to the layout restrictions imposed on the ground plane by the setbacks mentioned above, there were also planning restrictions on the use, density and height of any development on these properties, as determined by the City of Vaughan Official Plan and subsequent Amendments. These planning policies and the discussion of appropriate accommodation and compliance was presented in the Planning Justification Report for the Residences of Heritage Hill, as prepared by Lorelei Jones & Associates, November 2007.

This Heritage Impact Assessment report will identify the guidelines and policies of the Kleinburg-Nashville Heritage Conservation District Study and Plan (2003) which apply to the development of the Martin Smith property, and will review the method and degree of compliance and the mitigating interventions to assist in the compliance.

## 6.0 COMPLIANCE WITH KLEINBURG-NASHVILLE HERITAGE CONSERVATION DISTRICT STUDY AND PLAN (2003)

### 6.1 –The Heritage Conservation District Concept (KNHCD Item 1.2)

*A Heritage Conservation District designation is not intended to prohibit or discourage the changes required by contemporary needs. Its purpose is to guide those changes so that they preserve and enhance the District's architectural and historic character.*<sup>10</sup>

The intent of the Kleinburg-Nashville Heritage Conservation District Study and Plan permits appropriate growth and change as determined by the “contemporary needs” of the community while responding to the need to preserve the precious heritage character of the district. The increase of number of residences within walking distance to the village centre will improve the economic vitality of the village without increasing dependence on tourism and vehicular access.

The heritage assets of the Martin Smith building will be preserved with improved restoration, maintenance and on-going financial support from the condominium neighbours who share its use and maintenance. The existing building requires a large investment in good quality restoration to conserve this asset for future generations. The historic character of the building will be changed to remove some of the inappropriate modifications and additions that have accumulated over the last century, and to improve the quality of heritage interpretation revealed by the restored building.

Much of the heritage character of this site will be preserved or restored with this development. The Martin Smith House will remain in its original location as recommended by Heritage Vaughan. The relationship of Martin Smith to Islington Avenue will be preserved with a fully landscaped front yard and tree

planting similar to the fine photos recorded from 2000. And the lush growth of native canopy trees will be restored on the north, south and west sides of Martin Smith forming an enclosing yard similar to photos recorded from 2000. The significant change to the siting of this heritage asset building will be the enclosure on the south and west sides by the proposed adjacent condominium complex.

Some of the heritage character of the site will change with this development. The significant change to the siting of this heritage asset building will be the visible proximity of the pair of new multi-residential buildings extending beyond both sides of Martin Smith in the background behind the canopy trees. The new buildings have been revised in their design to accommodate the request from Vaughan to include traditional sloped roofs and other details of 19<sup>th</sup> century domestic architecture. The new building to the south is intentionally set back from Islington to approximate the setback of the face of the Martin Smith house. The roofline of both new buildings is approximately one storey above the roofline of the Martin Smith house. Except at the location of the decorative gables, the roofs of the new buildings slope away from the Martin Smith house to mitigate the impact of the height difference.

## 6.2 –Commercial Concerns (KNHCD Item 1.3.1)

*OPA 601 recognizes the commercial concerns of maintaining a prosperous and vibrant Kleinburg core, and encouraging business of a sort that can provide local employment. The small population base in the immediate vicinity make success difficult for the kind of main. street businesses that can prosper in larger centres. There are simply not enough people to support a full-service grocery or hardware store, for example.*

*and*

*Visitors arriving under their own power have the virtue of not requiring parking spots in the village core.<sup>11</sup>*

The introduction of 64 new housing units within walking distance will assist the local economy and vitality of the Village.

## 6.3 –Official Basis (KNHCD Item 2.1.1)

Salient items of OPA 601, Heritage Conservation.

*4.9.2. 2) - To encourage the retention and incorporation of existing heritage resources including buildings and other structures in the redevelopment of heritage property.<sup>12</sup>*

This proposal will retain one of the most important heritage resources in the District and ensure its on-going maintenance. The Martin Smith house will become part of the new development located on its original site in a landscaped setting similar to its traditional setting.



*4.9.2. 3) - To encourage that new development along the historic core areas of Kleinburg and Nashville (Islington Avenue and Nashville Road) be sympathetic in scale, massing and architectural design with the existing 19th and early 20th Century heritage buildings in these historic core areas.<sup>13</sup>*

The subject property is within the south boundary of the historic core area of the HCD. This location is characterized by larger lot divisions than the more central portion of the core area, and by larger building sizes, including the public school and the library. The design of the proposed development successfully articulates the larger mass of the new buildings into smaller unit sizes and planes that are sympathetic with the massing of the adjacent heritage building as recommended by the design guidelines from the HCD Plan.

The new buildings have been designed to respond to the request of Heritage Vaughan to present a reduced scale and massing of the new development adjacent to the Martin Smith house. Each building presents a face to the Martin Smith house that is three storeys in building height and articulated into building planes that are similar in area to the façades of the historic house.

The whole of the proposed new development has been designed as two apparently discrete building blocks, each with a mass and shape that would reflect the building size and shape of a 19<sup>th</sup> century mill as suggested by the KNHCD Plan.

While the scale of the new buildings is significantly larger than the heritage building, the alignment on the site will continue to feature the prominence of the heritage building with the new buildings receding behind. At the request of Heritage Vaughan, the new buildings have been designed to incorporate a number of traditional 19<sup>th</sup> century architectural motifs to resemble aspects of the design of the Martin Smith house and other period examples in the area.

The impact of the scale and massing of the new buildings on the heritage building and setting can be mitigated by the planting of a substantial number of canopy trees that will grow taller than the new building. The NKHCD Plan observes:

*The use and character of these rear yards varies, but there is a substantial number of mature trees, particularly along property lines. These trees tend to loom over the buildings, contributing to the green backdrop that is characteristic of a village setting, as opposed to an urban one.<sup>14</sup>*

The proposed landscaping plan around the Martin Smith house and for this whole property will retain the heritage character of Martin Smith set in a landscaped yard surrounded by canopy trees that will grow to maturity to loom

over the new building and mitigate the impact of its size and massing on the Martin Smith house.

*4.9.2. 7) - To preserve and incorporate significant heritage and archaeological sites into public and commercial environments and public open spaces.<sup>15</sup>*

The intent of the new development would open the grounds around Martin Smith house to more public access visually and actually, as a shared facility available to a larger number of residents.

*4.9.2. 9) - To recognize the importance of and protect natural heritage features including the Humber River valley lands for their distinct topography and scenic views.<sup>16</sup>*

The Humber River valley lands would be protected by the required setback of the new development from the Top of Bank location. The scenic views of the valley would not be changed significantly for most residents of Kleinburg by this development as this location on Islington did not provide a view of the valley. In response to the request from Heritage Vaughan, the design of this development has been modified to include a view corridor between the two new buildings that is 10 meters wide. This view corridor would both break the roofline of the proposed complex and preserve a vista from Islington Avenue towards the Humber Valley.

#### 6.4 – Guiding Principles (KNHCDC Item 3.2)

The Ontario Ministry of Culture's Architectural Conservation Note No. 1 lists Eight Guiding Principles in the Conservation of Historic Properties. These are quoted below:<sup>17</sup>

1. *Respect for Documentary Evidences. Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.*

The history and the construction of the Martin Smith house is very well documented. The restoration of the building will be based on documentary evidence.

2. *Respect for Original Location: Do not move buildings unless there is no other means to save them.*  
*Site is an integral component of a building. Change in site diminishes heritage value considerably.*

The current proposal maintains the heritage building in its original location. The surrounding site will be shared with the new development. A buffer space around the original heritage building will be maintained and landscaped to provide a lawn and garden similar to the documented photos when the house

was used most recently as a private residence. That landscaped yard will be buffered from the adjacent new development by the planting of canopy trees to restore the setting to be similar to documented photos. The landscaped buffer between the heritage house and the new development has been reviewed in section and perspective views to compare the horizontal distance with the proposed height of the new development for appropriate spatial separation.

3. *Respect for Historic Material: Repair/conservate rather than replace building materials and finishes, except where absolutely necessary.*  
Martin Smith will be restored to accepted standards for high quality heritage restoration.

4. *Respect for Original Fabrics Repair with like materials.*  
As #3 above, Martin Smith will be restored to accepted standards for high quality heritage restoration.

5. *Respect for the Building's History: Do not restore to one period at the expense of another period.*

*Do not destroy later additions to a house solely to restore to a single time period.*

The poor quality additions and renovations that have been attached to the north-west and south-west corners of Martin Smith have been inspected and assessed for heritage merit. In accordance with the Heritage Permit application, these additions will be removed to expose larger portions of the original 1852 Martin Smith house. Documentary and site evidence will be sought to establish an appropriate approach to the restoration of any of the original porches in these locations that will assist in the heritage interpretation of this resource. The central front gable and the bell-cast verandah will be preserved and restored as worthy accretions to the original heritage building.

6. *Reversibility: Alterations should be able to be returned to original conditions. This conserves earlier building design and technique.*  
As #3 above, the Martin Smith house will be restored to accepted standards for high quality heritage restoration.

7. *Legibility: New work should be distinguishable from old. Buildings should be recognized as products of their own time, and new additions should not blur the distinction between old and new.*  
As #3 above, Martin Smith will be restored to accepted standards for high quality heritage restoration. The proposed adjacent new building will use compatible materials and complementary design elements, but in a design motif that is distinguishable from the 19<sup>th</sup> century construction of the Martin Smith house.

8. *Maintenance: With continuous care, future restoration will not be necessary.*

This new development will provide an economically viable future for the preservation of the heritage Martin Smith house. The existing building has a number of structural issues that will require fundamental repairs and restoration that can be achieved as part of this development.

## 7.0 COMPLIANCE WITH KLEINBURG-NASHVILLE HERITAGE DISTRICT GOALS AND OBJECTIVES

### 7.1 – TOWNSCAPE (KNHCD Item 5.2.1)

*To preserve existing patterns of streets, lanes, and pathways and to restore the heritage character of streetscapes by control and guidance of new development.<sup>18</sup>*

The Islington Avenue streetscape along the frontage of this property will be maintained similar to its current condition with the exception of the introduction of a new driveway entrance directly across the road from the McMichael Art Gallery entrance, at the extreme south end of the property. The public road edge will continue to have the existing sidewalk and unit paver boulevard and decorative street fixtures. The existing line of trees and shrubs along the street property line will be maintained and groomed to emphasize the larger canopy trees and clear the view through the lower shrub planting.

*To encourage conservation or re-introduction of historic landscape treatments in both the public and private realms, including both hard and soft landscape elements.*

The front yard will be restored to the landscape image during the tenure of the Dawson family with a well-tended lawn, garden and landscaping. Where trees have died or deteriorated along the street property line and along other historic avenues on the site, those trees will be replaced with large caliper (4") native deciduous trees such as sugar maples.

*To ensure that landscape, streetscape, and infrastructure improvements enhance the heritage character of the District.*

All new landscaping will be designed to provide a visual extension from the public street allowance for Islington Avenue to the visible, restored façade of the Martin Smith house, using a combination of canopy trees along the street property line and only low level landscape treatment up to the front of the house. The landscape plan will feature the replacement of native deciduous canopy trees on either side and beyond Martin Smith house to re-establish the enclosed yard that was evident in historic photographs. This treatment will effectively mask the view from the street of the new development beyond and behind the heritage house.

*To preserve and reinforce existing vistas of significant features and buildings, and to open new vistas where this can be done without detriment to the heritage character of the District.*

When this property was owned by the Dawsons, the landscape treatment did not provide any significant vistas across their property. Since the purchase by Heritage Hill Developments, many of the larger trees that were close to the house have been removed and have effectively opened vistas that were not previously available throughout recent memory. The proposed new tree planting will restore the landscape screening that was previously associated with this site, and will emphasize the view to the front of the heritage house. The proposed 10 meter wide view corridor between the new buildings will provide an opportunity for a new vista toward the Humber valley from Islington Avenue.

*To encourage visual de-emphasis of non-heritage service functions such as parking facilities and utilities by inconspicuous location, planting, masking, and integration with elements that are sympathetic to the heritage character of the District.*

The new condominium apartment will be de-emphasized by locating most of the building at the rear of the property, as close to the Top of Bank as permitted. All of the site parking will be concealed underground. All new site services such as utilities and lighting will be designed to be concealed, or as inconspicuous as possible. The only building lighting will be at the entrances to both the Martin Smith house and the new development, providing a warm and welcoming glow both in the traditional bell-cast verandah of the heritage building and in the new porch covering the entrance to the south building. All other required site lighting would be achieved through inconspicuous, low-level bollard lighting.

## 7.2 - HERITAGE BUILDINGS (KNHCD Item 5.2.2)

This section reinforces the principles determined by the Ontario Ministry of Culture restoration notes described above and interpreted for the KNHCD *To retain and conserve the buildings identified in the Heritage District Plan as having heritage importance to the District:*<sup>19</sup>

*To conserve distinguishing original features, qualities, and character of heritage buildings and to avoid the removal or alteration of any such features.*

All of the distinguishing original features of the Martin Smith house will be restored to current standards for quality heritage restoration. The whole building will be restored intact with the exception of recent, poorly executed modifications that have diminished the original character and quality of the heritage resource.

*To encourage the corrections of unsympathetic alterations made over the years to heritage buildings.*

Those additions and alterations that are determined to be inappropriate, will be removed or corrected during the restoration process. The hap-hazard enclosures in the location of original porches will be removed to permit better restoration of the concealed resources.

*To encourage restoration of heritage buildings based on historical, archival, and pictorial evidence.*

Prior to undertaking the restoration process, all available documentary evidence will be collected and reviewed to establish a defensible restoration strategy.

*To encourage continuing use and habitation of heritage buildings in order to maintain their economic viability.*

The Martin Smith house will have the benefit of the financial support and on-going use and maintenance by the new condominium development.

*To promote retention and reuse of heritage buildings and to take exceptional measures to prevent their demolition.*

The Martin Smith house will become the visual focus and shared asset of several dozen new owners to ensure that the resource will be monitored and protected and not demolished.

*To encourage interior and exterior maintenance to preserve heritage buildings from damage or destruction from weather or fire.*

The Martin Smith house will be enjoyed for its exterior heritage qualities and used as club and lounge facilities by the condominium.

### 7.3 - THE ROADS (KNHCD Item 5.2.3)

*To preserve and enhance the rural character of the roads in the District.*

*To preserve the rural quality of the views and vistas from the roads.*

*To create visible markers at the main "gateways" of the District on Islington Avenue, Nashville Road, and Regional Road 27.*

This development would have a minor effect on the rural character of Islington Avenue at this location. The view across this property from Islington would be less rural than it is currently and more urban in character with the view of a 4 storey, 64 unit condominium apartment. The view of Martin Smith house from the south approach along Islington would continue to provide the traditional landmark at the entrance to the Village.



**Figure 5 -Gateway location at Islington Ave entrance to HCD (subject property at left)**

#### 7.4 - THE VALLEY SETTING (KNHCD Item 5.2.4)

*To preserve and enhance the experience of the rural and natural character of the Kleinburg-Nashville setting.*

The proposed development respects the required setback from the Top of Bank line for the Humber Valley and preserves the valley lands in their natural condition. The west façade of the north building facing the Humber Valley is 4 storeys high with walk-out provisions at the ground floor. The introduction of a 4 storey, 64 unit condominium apartment in this location does not enhance the experience of the rural and natural character of the Kleinburg-Nashville setting. The proposed development will increase the urban character of this portion of Kleinburg. The rural and natural character of the Kleinburg-Nashville setting has been evolving and becoming more urban since the first settlement in this wilderness area.

#### 7.5 - FUTURE DEVELOPMENT IN THE DISTRICT (KNHCD Item 5.2.5)

*To encourage new development that will enhance the heritage character of the District as infill construction on vacant lands and replacement construction or alterations to non heritage buildings.*

*To guide new development so it can provide for contemporary needs, and to ensure its design will be compatible with and complementary to the character of the District and the heritage resources within.*

The new development ensures the protection and appropriate restoration of the Martin Smith house landmark, and the new development on the existing vacant site to the south and on the Martin Smith site to the west could be considered as “infill” construction, leaving the heritage resource intact.

#### 7.6 – COMMUNITY SUPPORT (KNHCD Item 5.2.6)

*To foster community support for, pride in, and appreciation of the heritage character of the District, and to promote the need to conserve this character for future generations.*

*To encourage public participation and involvement in the conservation of heritage resources and the heritage character of the District.*

*To offer assistance and incentives to individual heritage property owners to assist in preserving heritage resources, and to ensure the use of proper conservation approaches when undertaking improvement and maintenance projects.*

This proposed development tests the intent and process of the KNHCD Guidelines, and raises a number of issues of interest and concern to residents and City Staff. The ensuing discussion assists in determining public policy and interest. The proposed development will provide long-term protection and maintenance for a treasured heritage resource in the district, and will permit that resource to be shared and enjoyed more broadly by a larger number of local residents. To that end, the heritage resource will benefit the district better than under the single-family, private-residence ownership model, as under the Dawson's tenure.

#### 7.7 – ECONOMIC DEVELOPMENT AND TOURISM (KNHCD Item 5.2.7)

*To maintain the Kleinburg core as an attractive business environment by maintaining the distinctive heritage character of the District while providing for development and supporting uses to meet contemporary needs.*

*To promote and protect the heritage character of the District as a basis for economic development, particularly as generated by the tourism and recreational sectors, in both the District and elsewhere in the town.*

*To integrate the protection, enhancement, and promotion of heritage character into all policies and practices of the City and civic groups, as they affect the integrity of the District.*

The proposed new construction provides for contemporary needs to the extent that an increased residential population close to the core area of the Village will help to provide economic stability to both the Village and to the Martin Smith house without the fluctuations of tourism and other negative effects.

#### 8.0 COMPLIANCE WITH KLEINBURG-NASHVILLE HERITAGE DISTRICT POLICIES

##### 8.1 – POLICIES FOR HERITAGE BUILDINGS (KNHCD Item 6.2)

*Loss of heritage through neglect is an avoidable tragedy. Regular inspections for building maintenance and fire prevention should be undertaken and regulations in this regard should be enforced.*

*The original construction and detail on heritage buildings should be retained and repaired ~ whenever possible.*

*Alterations to heritage buildings should include removal of later unsympathetic work and restoration of original features and detail.*

*Work on heritage buildings should be consistent with the Guidelines in Section 9.3.*

*Loss of heritage resources through demolition should be discouraged. Policy suggestions for demolition control appear in Section 7.2.9.<sup>20</sup>*



The restoration strategy for the Martin Smith house will be consistent with the accepted standards of heritage restoration as determined by good practice and by the Guidelines in KNHCD Item 9.3. Prior to any work undertaken on this heritage asset, adequate research will be completed to determine the extent of removals and restoration that will best interpret this building. Each of the components and assemblies and finishes of Martin Smith will be restored with appropriate skill and care. New work will be incorporated into the heritage restoration as required to secure the existing structure, ensure longevity of the building, and correct or replace poor work or additions that have previously impaired the heritage character of the Martin Smith house.

## 8.2 – POLICIES FOR NEW DEVELOPMENT (KNHCD Item 6.3)

*New development should complement and enhance the heritage character of the District. New buildings should be sympathetic in siting, scale, material, texture, and general design to the heritage buildings around them.*

*New development should be limited to vacant sites or to sites currently occupied by unsympathetic buildings. Even the most skillfully executed heritage-friendly building cannot replace the value of a real heritage building.*

*New development within the District should be consistent with the Guidelines in Section 9.5.<sup>21</sup>*

The proposed development will provide a viable future use and economic security for the long term conservation of the Martin Smith house. The siting of the new development to the south and west of Martin Smith is appropriate to preserve the heritage building intact and on its original location, in a dedicated landscaped yard. The material and texture of the new development complies with the heritage request to incorporate traditional 19<sup>th</sup> century architectural imagery into the new building.

The risk that the new development may overwhelm the scale and significance of historic Martin Smith house is mitigated by the sensitive design treatment of the new building and landscaping, and the spacing and height of the new building in the proximity of Martin Smith.

## 9.0 COMPLIANCE WITH KLEINBURG-NASHVILLE HERITAGE DISTRICT GUIDELINES

### 9.1 – DESIGN GUIDELINES - OVERVIEW (KNHCD Item 9.1)

*The purpose of these Design Guidelines is to serve as a reference for anyone contemplating alterations or new development, within the Kleinburg-Nashville Heritage Conservation District.*

*They are intended to clarify and illustrate in a useful way, the recognizable heritage characteristics found in the District. The real guidelines are provided by the existing heritage buildings and the character of their settings. The best test of new work in the District is whether or not it shows "good manners" towards its heritage neighbours and neighbourhood. The District Plan examines the past but faces the future. It recognizes that change must and will come in a living and evolving District. The objective of these Guidelines is not to prevent*

*change, but to ensure that change is complementary to the heritage character of the District, and enhances, rather than harms it.*<sup>22</sup>

The Design Guidelines Overview wisely speaks of the intent to permit appropriate development in the Heritage Conservation District, and confirms that the best test of new work is whether it shows “good manners” towards its heritage neighbours. Manners are very much a product of time and place. Manners that are expected among the fans of a sporting event may not be considered good manners at the opera. In built-up urban environments in Toronto, New York or London, many heritage landmarks have come to be in very close company with newer examples of larger, modern buildings that do not attempt to mimic the era which the heritage building hails from. Some of those combinations of new and old have won awards for the sensitive coordination between the modern, new building and the adapted heritage building in the same complex.

The Heritage Conservation District Plan Guidelines refer to the subjective test of new work as “good manners”. Starting with the definition of the word “manners”:

**manners,**

- a. the prevailing customs, ways of living, and habits of a people, class, period, etc.; mores: *The novels of Jane Austen are concerned with the manners of her time.*
- b. ways of behaving with reference to polite standards; social comportment: *That child has good manners.*<sup>23</sup>

From the first definition, manners are concerned with the context, setting and customs that are established.

From the second definition, manners are concerned with the interaction of individuals (and individual buildings) within the established standards.

The Martin Smith house is the long respected elder in the community which has grown somewhat frail from age. Rejuvenation is required to ensure that this elder maintains an active life in this community. Respect is required to ensure that the efforts to rejuvenate the elderly house are undertaken in a skillful and complementary fashion.

In Kleinburg, the prevailing custom as related to new commercial buildings in the Heritage Conservation District, is the construction of 2½ to 3 storey mock historic buildings sited on their own discrete properties isolated from the adjacent buildings by side yard set-backs providing through views to the near distance.

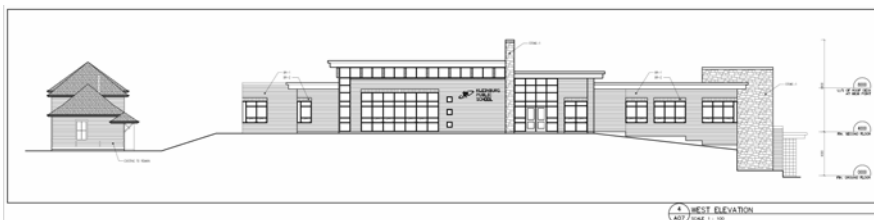
The Kleinburg core area also includes the local public school on the east side of Islington Ave, opposite the proposed development on the Martin Smith property. The Public School currently is a two storey building, approximately 2260m<sup>2</sup> in building area, presenting a façade to Islington Avenue that is approximately 75m long and set back approximately 40 meters from the centre line of Islington.



The

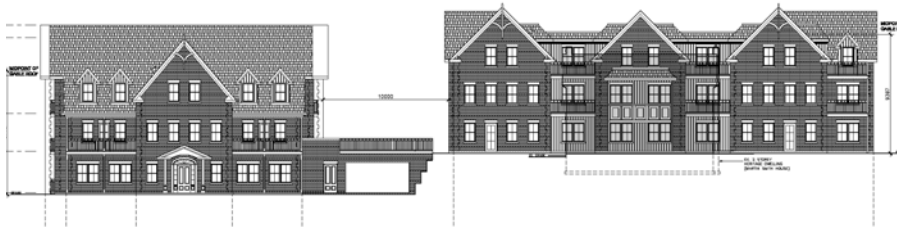
**Figure 6 -Martin Smith house (red roof) and Public School site (Photo –Google Earth)**

proposed new school to replace the existing Public School will also be two storeys, approximately 3200 m<sup>2</sup> in building area, but built up from an elevated grade closer to the existing road level. The front elevation will be approximately 40 meters long facing Islington and set back approximately 33 meters from the centre line of Islington.



**Figure 7 - New public School elevation facing Islington Ave (Makrimichalos & Cugini)**

By comparison, the proposed development at the Martin Smith site on the west side of Islington will have a front elevation sub-divided into discrete components of 21 and 34 meters in length. The proposed height facing Islington would be 3 storeys and proposed building area of 2001 m<sup>2</sup>. The front façade of the north building would be set back approximately 60 meters from the centre line of Islington, and the front façade of the south building would be set back approximately 30 meters from the centre line of Islington.



**Figure 8 - Heritage Hill elevation facing Islington Avenue (Joseph Battaglia Architect)**

Although the designated “Core Area” includes all of the village centre with traditional village lot sizes and building sizes based on single family residences, it also includes this enclave on the southern entrance to the Core Area that is the vestigial result of the Martin Smith farm property providing large lot sizes for the McMichael gallery, the Public School and for the remaining property around the original farm house. The prevailing pattern of development in the village centre is a series of small residential and commercial buildings on 15 to 20 meter wide lots built to or near the street frontage. The prevailing pattern of development on this fringe area of the core, is much larger properties, much larger set-backs from the street, and much larger building areas. The manner of development that would be considered heritage appropriate in the village centre is different from the manner of development that is appropriate at this fringe area.

The alternatives that present themselves for the possible maintenance or development of the Martin Smith property are limited:

- The large property could remain as an estate sized lot under private ownership as a private single family residence. Several families have maintained this house in this ownership model since the house was built. However, the actual fabric of the house was not well maintained over recent years, and a new owner would be obliged to invest large sums of money in quality repairs to heritage standards. A new owner investing that amount of money would be looking for more house than is available from the current design of the Martin Smith house, and there would most likely be some proposal for a substantial addition to the original house that may or may not complement the original heritage design.
- The large property could be purchased by a public or private organization similar to the nearby school, library or art gallery, and maintain the original house as part of a commercial or institutional development on the site. A large amount of public or private funding would be required to restore the original Martin Smith house and convert it into a commercial or institutional enterprise. Some additional construction may be necessary either as part of the original proposal, or like the McMichael Gallery, as an incremental set of additions to meet the goals of the project.
- The large property could be developed by residential sub-division as has happened in many expanding urban areas, leaving the original house as the heritage anomaly on a street of new houses, all compatible in scale and height and massing, but diminishing the heritage original by its new, confined setting.

Most communities wish for a philanthropist owner to acquire noteworthy examples of significant heritage buildings, and preserve and restore them, and convert them, if necessary, into public museums, or restaurants or ice cream parlours, so that the resource is protected and maintained, and continues to be available in some manner to public access or appreciation.

The option to develop the site by maintaining the heritage building as a separate structure set in a generous landscaped yard, and supported financially and through use by a new community of owners in close proximity is the best option to guarantee the future of the Martin Smith house as a free-standing heritage asset, visually accessible to the community.





**Figure 6 & 7 National Ballet School Campus, KPMB & Goldsmith Borgal Architects Toronto**

*The Jarvis Street Campus at Canada's National Ballet School (NBS), which opened to Canadian public and critical acclaim in November 2005, has received one of the most coveted architectural awards, a 2007 Institute Honor Award for Architecture from the American Institute of Architects (AIA).*

*As one of 11 architectural projects selected by the American jury from over 450 submissions worldwide, NBS's new campus is the sole Canadian building honoured for 2007 and only the fourth since the AIA first bestowed the awards in 1949.<sup>24</sup>*

In the case of the National Ballet School Campus, the original mansion built for Sir Oliver Mowat, was incorporated into a modern complex that is much larger than the original house, but respectful of its setting and prominence.

Islington Avenue at the south end of the village of Kleinburg is not Jarvis Street in the middle of Toronto. But the design approach to permit an existing heritage building to share a site with well-designed new construction, and still maintain an independent appreciation for the heritage original can be transferred to Kleinburg.

## 9.2 – ISLINGTON AVENUE COMMERCIAL CORE SCALE AND MASSING (KNHCD Item 9.5.2.3)

*The building height provisions in Section 4.7.6.7 of the Official Plan will be stringently applied.*

*Designs based on larger heritage precedents, such as hotels and mills, should be limited to 18 metres of frontage in the Commercial Core.*

*For frontages larger than 18 metres, the building mass should be subdivided into discrete elements. These elements should reflect the historical scale and should have varied setbacks in keeping with the village character.<sup>25</sup>*

The proposed building height would exceed the maximum permissible height of two and a half storeys in the Commercial Core. In the location adjacent to Martin Smith House, this excess height could have negative impact on the heritage asset, and diminish the importance of this building. Recent design changes to the proposed development have mitigated the negative impact imposed by the new building onto the heritage building. The façade of the new building has been organized geometrically to respond to the presence of the heritage Martin Smith house. The alignment of the north building is parallel to Martin Smith house and the street line, and the elevation that forms the back drop to Martin Smith house is organized into a sympathetic and articulated design using the centre line of the heritage building as the axis of symmetry for this portion of the new building. The geometry is aligned with the Martin Smith House and respects the axis of symmetry established by the heritage house.

The south building is separated by a 10 meter wide view corridor from the north building. Both buildings have been designed to replicate the image of smaller building masses joined by recessed connection elements. The projecting planes are each surmounted by peaked gables using roofs similar in slope to the Martin Smith house. Several gables use various architectural treatment to introduce textures and details similar to other 19<sup>th</sup> century buildings in the area, and providing variety and interest on this site.

The extensive use of brick cladding and brick detailing is appropriate as is the relief provided by other materials.

The principle façade material is red brick, with buff brick details incorporated into the brick quoins and flat arches at the window openings, all similar to the Martin Smith house. The gables exhibit different treatments including boxed eave returns, similar to the Martin Smith house, and decorative shingle cladding as on other Kleinburg buildings. Some of the projecting window bays are clad in vertical siding to simulate an enclosed porch, and surmounted by a bell cast roof with traditional shingle cladding. The main entrance to the south building replicates the design of the front door to the Martin Smith house complete with sidelights and an elliptical transom light. The large area of roof plane facing Islington on the south building is articulated with traditional dormer window projections at the level of the third floor. The east elevation of the south building incorporates second storey covered balconies, or loggia, typical of some 19<sup>th</sup> century inns and taverns, and similar to the suggested examples of large building infill in the KNHCD Plan.

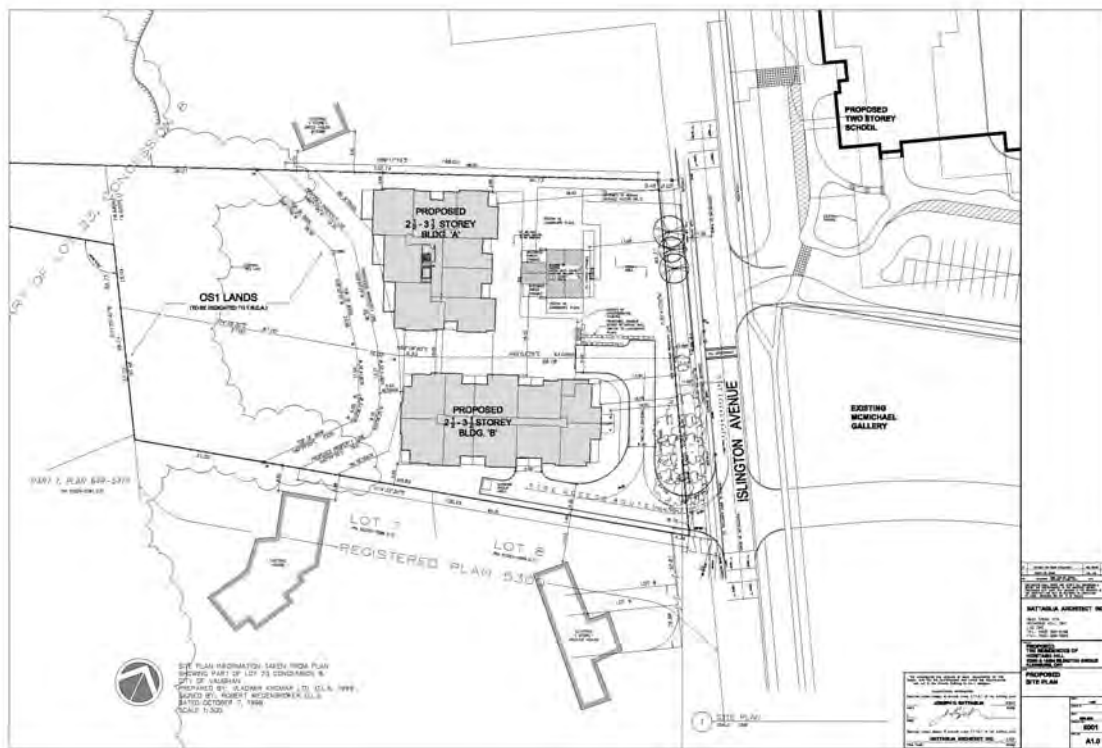
The scale and massing of the new proposal have been skillfully articulated as recommended in the HCD guidelines to reduce long facades into a series of shorter elements with varied massing, alignment and heights to mimic a series of connected buildings, and to use projecting and receding elements to mimic the

rich variety of forms and massing in the traditional village setting. The surfaces have also been artfully finished in a variety of complementary materials and textures, using classical features and proportions in the detailing. The selection of materials pays homage to the original materials of the Martin Smith house.

The height of the new building exceeds the Heritage Guidelines maximum of 2½ storeys and exceeds the roofline of the existing 1½ storey Martin Smith house by one storey. However, the impact of that additional height has been mitigated by the step back of the façades closest to Martin Smith house, so that the roofline of Martin Smith maintains prominence from vantage locations along Islington Avenue.

*Although OPA 633 would not permit apartments in a stand-alone form as described in section 3.3.2 of this report, the proposed policies would permit “small scale mixed-use developments with at-grade commercial uses and an upper floor residential component” within the Mainstreet Commercial area. Under the development standards prescribed for this area, “small scale” would mean a maximum height of 9.5 metres (approximately three-storeys) and a maximum built density of 1.0 FSI (Floor Space Index). These height and density requirements do not differ from those prescribed by OPA 601.<sup>26</sup>*

The maximum height permitted by the reference to OPA 633 would be 9.5 metres (approximately three-storeys) although the datum location for measuring the height may vary across this sloping site.



**Figure 9 -Proposed Site Plan showing location of new Public School**



## 10.0 SUMMARY AND RECOMMENDATIONS

### 10.1 SUMMARY

The proposed development of the property to the south and west of Martin Smith house will provide an opportunity to undertake quality restoration of the heritage building. In spite of the existing reports on the merits and qualities of the Martin Smith house, closer examination reveals that it has some serious structural and material flaws that should be repaired to conserve this asset for the future.

The proposed development of this property satisfies many of the stated goals and policies of the recently completed KNHCD Study and Plan. Although the property is within the identified Core Area of the Village plan, it is not currently part of the commercial district that attracts business and tourists, and should not be developed in a fashion that would dissipate the retail and business activity further to the north. This area of Islington is a gateway to the Village and a transition zone from the suburban/rural character to the south and the Village character to the north. The neighbouring properties across Islington are of a public/institutional nature, well set back from the street, providing a park-like setting at the entrance to the village. The proposed development of these two properties (10360 & 10384) would enhance that park-like setting on the west side of Islington, while preserving the landmark Martin Smith house prominently in the middle of that open space as a welcome to the Village.

This report has reviewed the proposed development to comment on the impact of that development on the heritage character of the Martin Smith house, using the KNHCD Study and Plan (2003) as the basis of desirable conservation. This report does not comment on other regulatory requirements for the development of this site.

### 10.2 RECOMMENDATIONS

The proposed development design should be modified as follows:

- To provide adequate landscape provisions for a canopy screen of native trees to be planted between Martin Smith house and the new building. Ensure that adequate space is available for trees to grow and that adequate soil is provided for the root structure.
- To develop a landscaping plan that is sympathetic to the historic setting of the Martin Smith house.
- To prepare an accurate set of measured drawings to record the current layout and construction of Martin Smith house, and to develop a detailed heritage conservation strategy for the restoration of Martin Smith, including working drawings and specifications prepared by a qualified heritage consultant.

- To prepare a heritage easement that would identify the on-going responsibilities for the maintenance and use of the Martin Smith house as part of the development agreement.
- To provide further documentation and illustration as required below:

*For new construction:*

*Provide all documents ordinarily required for a Site Plan Approval. These should include: site plan, at a scale suitable to the size of the property, showing location of the building(s) and buildings on adjacent properties, fencing, planting, sidewalk and driveway paving, and porches, decks, and other exterior elements; elevations of all sides, at a scale suitable to the size of the project, and including adjacent properties; an eye level perspective, including adjacent buildings, for corner properties or free-standing buildings; outline specifications and drawing notes should indicate all materials visible from the exterior. Elevations and perspectives should be “rendered” so that coursing, projecting elements, textures, and fancy work are truly represented.*

*Provide photographs of adjacent buildings for comparison with elevations and perspectives. Provide photographs of nearby heritage buildings of a similar type, to demonstrate the architectural sympathy of the proposed building.<sup>27</sup>*

<sup>1</sup> Town of Vaughan By-Law Number 55-79, Schedule “A”, Part II

<sup>2</sup> Mary Byers, Rural Roots, University of Toronto Press, 1976, pg 121, 122

<sup>3</sup> Inventory Record from Kleinburg-Nashville Heritage Conservation District Study (2003)

<sup>4</sup> Inventory Record from Kleinburg-Nashville Heritage Conservation District Study (2003)

<sup>5</sup> Recommendation 2 –HP-2008.024 -Committee of the Whole –November 3, 2008

<sup>6</sup> Heritage Vaughan Minutes - April 18, 2007

<sup>7</sup> Recommendation 3 –HP-2008.024 -Committee of the Whole –November 3, 2008

<sup>8</sup> Recommendation 4 –HP-2008.024 -Committee of the Whole –November 3, 2008

<sup>9</sup> Recommendation 5 –HP-2008.024 -Committee of the Whole –November 3, 2008

<sup>10</sup> KNHCD Study & Plan, item 1.2 The Heritage Conservation District Concept

<sup>11</sup> KNHCD Study & Plan, item 1.3.1 Commercial Concerns

<sup>12</sup> KNHCD Study & Plan, item 2.1.1 –Policies of OPA 601 –Item 4.9.2.2

<sup>13</sup> KNHCD Study & Plan, item 2.1.1 –Policies of OPA 601 –Item 4.9.2.3

<sup>14</sup> KNHCD Study & Plan, item 2.4.1-The Villages -Kleinburg p29

<sup>15</sup> KNHCD Study & Plan, item 2.1.1 –Policies of OPA 601 –Item 4.9.2.7

<sup>16</sup> KNHCD Study & Plan, item 2.1.1 –Policies of OPA 601 –Item 4.9.2.9

<sup>17</sup> KNHCD Study & Plan, item 3.2 -Guiding Principles from Ontario Ministry of Culture, Note #1

<sup>18</sup> KNHCD Study & Plan, item 5.2.1 - District Goals and Objectives - Townscape

<sup>19</sup> KNHCD Study & Plan, item 5.2.2 - District Goals and Objectives - Heritage Buildings

<sup>20</sup> KNHCD Study & Plan, item 6.2 - Policies for Heritage Buildings

<sup>21</sup> KNHCD Study & Plan, item 6.3 - Policies for New Development

<sup>22</sup> KNHCD Study & Plan, item 9.1 – Design Guidelines - Overview

<sup>23</sup> Random House Unabridged Dictionary, © Random House, Inc. 2006

<sup>24</sup> National Ballet School press release - Toronto, January 12, 2007

<sup>25</sup> KNHCD Study & Plan, item 9.5.2.3 – Scale and Massing Guidelines

<sup>26</sup> Report No. 3 of the Planning and Economic Development Committee Regional Council Meeting of March 29, 2007 – Item 3.3.2.1

<sup>27</sup> KNHCD Study & Plan, item 8.7.3 Site Plan Review (Heritage) Checklist