

COMMITTEE OF THE WHOLE- NOVEMBER 3, 2008

HERITAGE PERMIT APPLICATION HP- 2008.024 ALTERATIONS TO 10360 & 10384 ISLINGTON AVENUE, MARTIN SMITH HOUSE VAUGHAN PLANNING RELATED FILES: OP.07.004 and Z.07.031

Recommendation

The Commissioner of Community Services and the Director of Recreation and Culture recommend approval of the following recommendation by Heritage Vaughan Committee:

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 valleyland 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 and 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 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; 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.

Economic Impact

There is no direct economic impact related to the approval of this report.

Communications Plan

The property owner or his/her representative has been notified of this meeting and will be advised of Council's decision.

Purpose

The subject property is within the Kleinburg-Nashville Heritage Conservation District as designated under Part V of the *Ontario Heritage Act* and includes the Martin Smith House, designated under Part IV of the Act. The purpose of this report is to allow Council to review Heritage Permit application HP 2008-024 requesting approval of the new condominium residence and changes to the rear addition to the Martin Smith House on the property as required under section 33 & 42 of the *Ontario Heritage Act*. Council has authority to approve, refuse, or approve with conditions any application in a Heritage Conservation District. A refusal or a permit with conditions can be appealed to the Ontario Municipal Board.

Background - Analysis and Options

The subject adjoined properties are located within the Kleinburg-Nashville Heritage Conservation District and designated, in part, under Part V of the Ontario Heritage Act in 2003. The property at 10384 Islington Avenue contains the Martin Smith House (built in 1852) which was designated in 1979 under Part IV of the Ontario Heritage Act. Any alterations, additions or demolition to buildings or property within a heritage conservation district or designated under Part IV of the OHA must be reviewed by Cultural Services staff and forwarded to Heritage Vaughan to review for recommendation to Council. Heritage Permit approval by Council must be obtained by property owners for changes to their designated property in conjunction with obtaining other City permits/approvals.

Pursuant to Section 33 (4) & 42(4) of the *Ontario Heritage Act*, Council must make a decision on an application within 90 days of official receipt of a Heritage Permit application. Council, upon review of a Heritage Permit application, may give the applicant:

- (a) the permit applied for;
- (b) notice that the council is refusing the application for the permit; or
- (c) the permit applied for with terms and conditions attached.

On September 12, 2008, the Applicant submitted a complete application to Cultural Services providing elevation drawings identifying proposed changes to the Designated Martin Smith House. Additionally, Culture 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:

- 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

Cultural Services presented the entire proposal to Heritage Vaughan at its September 17 Heritage Vaughan meeting.

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 on February 17, 2009.

Analysis

The Martin Smith House plays an integral role in the heritage character of the Kleinburg-Nashville Heritage Conservation District. It stands solidly on a gentle rise of land or knoll, where it has maintained a commanding view over the 100 acres of Lot 23 in Concession 8 formerly owned by its builders - Martin and Catherine Smith. As stated on page 24 of the Kleinburg-Nashville Heritage Conservation District Plan, "Redcroft" or the Martin Smith House "suitably marks the southern edge of the old Kleinburg village". The existing front and side setbacks of the Martin

Smith House are relatively deep when compared with most frontages within the village core. This is due to the fact that a farmhouse is normally designed to have space separating it from the main road and other farm complex buildings. The pleasant and practical placement of the house within its lot and also as an integral element of the historical Islington Avenue and Kleinburg streetscape, is a heritage attribute that should not be put in jeopardy.

Condominiums and Retirement Residences /Building Overall Height, Scale and Massing/Views and Vistas

The Kleinburg-Nashville Heritage Conservation District Plan (K-N HCDP) includes the following in its goals and objectives:

K-N HCD Plan (Section 5.2.1 – Townscape)

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.

K-N HCD Plan (Section 5.2.3 – The Roads)

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

K-N HCD Plan (Section 5.2.4 – The Valley Setting)

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

The proposal for 10360 and 10384 Islington Avenue is not compatible with the intention of the heritage designation of the Kleinburg-Nashville Heritage Conservation District (K-N HCD). The proposed new building is well beyond the maximum building height of 3-storeys recommended within the K-NHCD. There is no precedent in Kleinburg or Nashville for a 5-storey building or a building of this size or scale (just under 90,000 sq ft GFA) for any use, especially residential use.

The condominium and retirement residence building proposed by the applicant is too large when seen at all four elevations to appear sympathetic to or in keeping with the scale of the Martin Smith House, or the low building heights historically and currently seen in this portion of the Islington Avenue heritage streetscape. As stated in the K-N HCD Design Guidelines, this area acts as an entrance to the Kleinburg core area providing a transition from the newer 2-storey single family dwellings of the new subdivision to the southwest of the subject property, past the Martin Smith House to the Kleinburg core area.

The Cultural Heritage Resource Impact Assessment (CHRIA, prepared by Nexus Architects submitted by owner) states that the relative size and visible height of the top level of the new construction, viewed from the street, would be visually close to the roofline of the Martin Smith House and, therefore, appears to be in the background when seen from the east. This seems to be the case when looking at the north half of the proposal, however, the 5-storey south half of the new building when seen from Islington Avenue, would be in full view.

It is important for the applicant to break up the massing of the building further than simply stepping the roofline from east to west. A varied massing in the north and south may serve 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 rhythm of this building profile should emulate the building rooflines of a village setting – not all culminating in a singular horizontal roof plane at the back of the building. The existing historical view from Islington Avenue of the valley to the west would not be completely obscured if the new building presented not one monolithic block in its north/south axis but several smaller masses connected together.

At a height of 5-storeys in its western portion, the proposed new construction would certainly be seen from the “Valley Setting”, Highway 27 or Nashville Road to the west of the subject property setting a precedent that departs considerably from the vista a small village would give.

To completely close an existing vista of a significant heritage feature of the HCD (i.e. the view from Islington Avenue past the Martin Smith House to the trees, and hillside of the Humber River valley to the west would be a detriment to the heritage character of the District. As already suggested above regarding the issue of massing, the existing historical view from Islington Avenue (past the Martin Smith House) of the valley to the west would not be completely obscured if the new building presented not one monolithic block in its north/south axis but several smaller masses connected together.

Landscaping and Tree Planting to Screen New Construction

The applicant has proposed to “screen” the view of the new construction when seen from Islington Avenue by planting a “canopy screen of native trees [...] between Redcroft and the new building”. (CHRIA, page 26 prepared by Nexus Architects submitted by owner). Attempts to mask the appearance of a development with deciduous trees and leaf cover would only function over the summer months of the year. Even if evergreens (i.e. indigenous pine) were proposed, the landscaping and tree planting are not a solution that can be accepted as mitigation of the effects of over-sized new construction.

Architectural Style

Section 9.2 in reference to *Architectural Styles*, the K-N HCD states:

New developments should be designed in a style that is consistent with the vernacular heritage of the community. All construction should be of a particular style and not a hybrid.

The proposed new building is described by the owner’s consultant as a Post-Modern design which borrows motifs from disparate styles and influences – the flat roof of Modernism decorated with entablature motifs of Classical architecture and “massing, details and finishes that are compatible with the materials and massing of Redcroft” (CHRIA, page 10). The overall effect, however, has the appearance of institutional or commercial buildings seen elsewhere in Vaughan not in keeping with the goals of the Heritage Conservation District. Any new construction must be proven to comply with the HCD Design Guidelines and in doing so would be designed in a style which emulates one of the existing vernacular Heritage or Non-Heritage Designs. The applicant should be encouraged to examine more closely the precedent style seen in the new Kleinburg Public School to be built on Islington Avenue and other good examples of Modernism and earlier vernacular design in the K-NHCD.

Proposed Alterations to the Martin Smith House

Cultural Services received from the applicant additional plan and elevation drawings which provide further detail and clarification of the proposed alterations to the rear portion or tail of the Martin Smith House at 10384 Islington Avenue. The owner is proposing the removal of a rear addition and construction of verandahs to the north and south back addition of the building. The back addition being removed has no heritage value and therefore there are no objections to its removal. There are some minor clarifications that the applicant will need to work with Cultural Services as it relates to the design of the rear new verandahs and they are to ensure side porch overhangs match, window muntin bars in back portion be architecturally accurate and the door design conform to the K-NHCD guidelines.

Comments From Vaughan Planning Department

The Development Planning Department is currently processing the related Official Plan and Zoning By-law Amendment Applications (Files OP.07.004 and Z.07.031), which are tentatively scheduled to proceed to a future Committee of the Whole meeting in late 2008. The planning report will consider the application proposal and provide an appropriate recommendation. These site-specific applications, together with OPA #633 (Kleinburg-Nashville Community Plan) and By-law 167-2006, have been appealed by the applicant to the Ontario Municipal Board (OMB). The OMB Hearing is scheduled for February 17 to March 27, 2009 inclusive.

Relationship to Vaughan Vision 2007

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 is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

None.

Conclusion

It is recommended that Heritage Permit application HP-2008.24 for the proposed new construction/development at 10360 & 10384 Islington Avenue be refused, due to its non-compliance with the Kleinburg-Nashville Heritage Conservation District Plan as outlined in this report. It is also recommended that the proposed changes to the Martin Smith House, included as part of the subject application, which are identified as the removal of the back addition and the construction of new verandahs, be approved.

Attachments

1. Photographs and Artists Rendering of New Construction on Property & Elevation Drawings for New Rear Addition to Martin Smith House

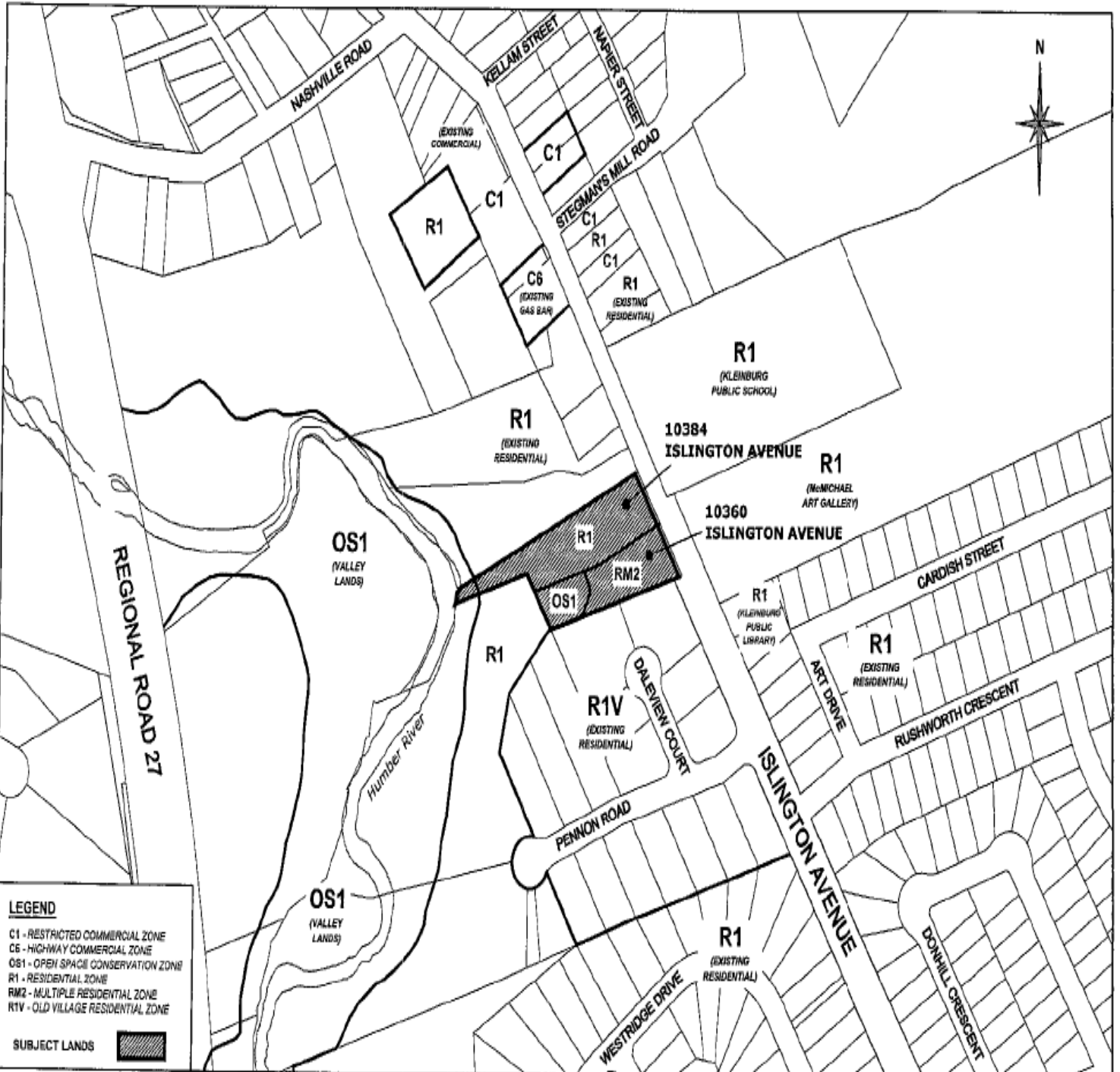
Report Prepared By:

Stephen Robinson, Cultural Heritage Coordinator ext. 3128
Angela Palermo, Manager of Cultural Services, ext 8139
Mary Reali, Director of Recreation and Culture ext. 8234

Respectfully submitted,

Marlon Kallideen

Commissioner of Community Services



LEGEND

- C1 - RESTRICTED COMMERCIAL ZONE
- C6 - HIGHWAY COMMERCIAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- R1 - RESIDENTIAL ZONE
- RM2 - MULTIPLE RESIDENTIAL ZONE
- R1V - OLD VILLAGE RESIDENTIAL ZONE

SUBJECT LANDS

Location Map

Part of Lot 23,
Concession 8

APPLICANT: 10360 ISLINGTON AVENUE INC. &
JOSIE & FABIO ALVIANI



The City Above Toronto

Development Planning Department

Attachment

FILE No.:
OP.07.004 & Z.07.031

Not to Scale

August 21, 2008

1



**Historic Martin
Smith House on
Property**



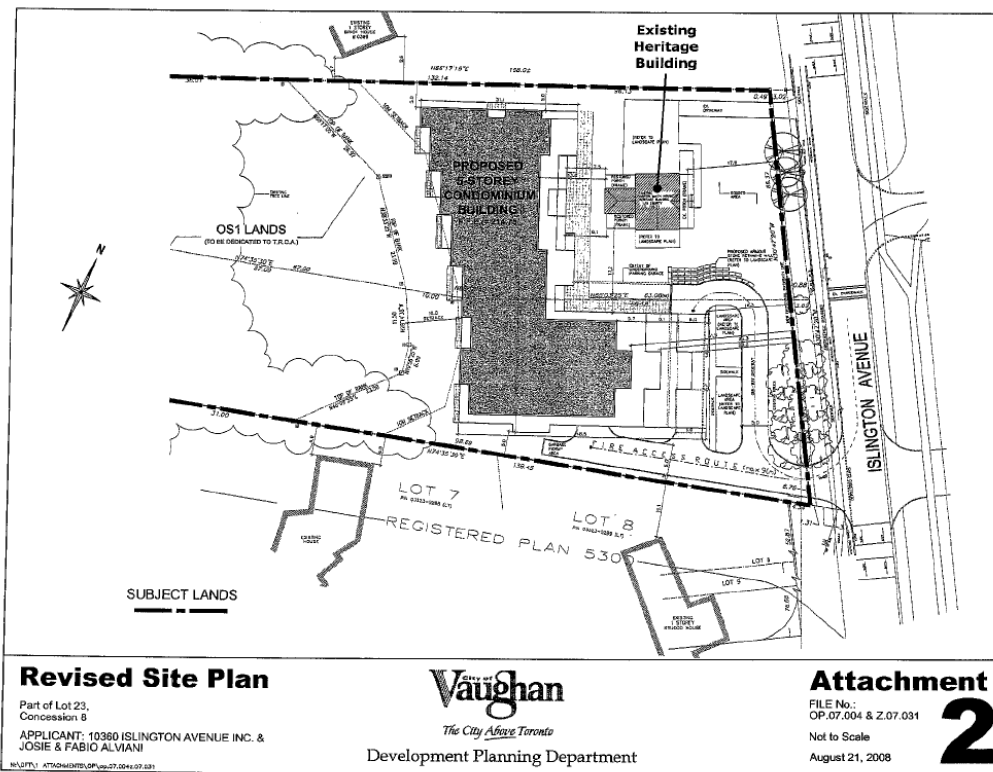
Artist rendering of
Martin Smith House
within proposal
(Provided by
Applicant)

Artist's Concept
© 2018



Artist Concept
2008(C)

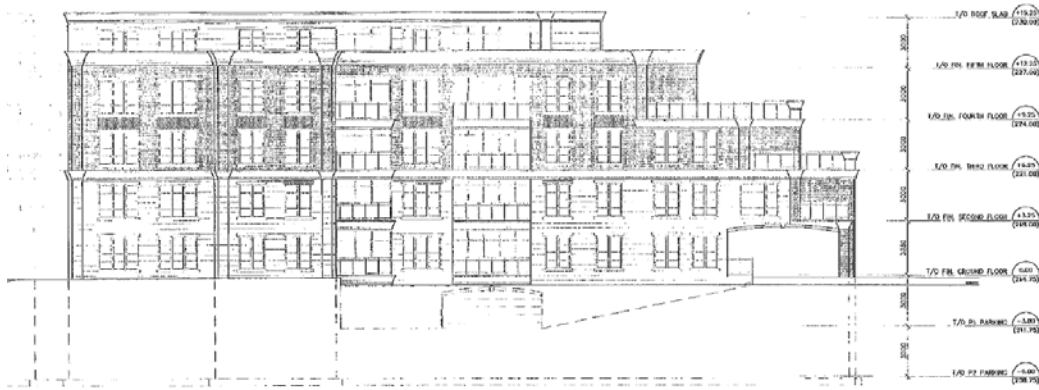
**Artist rendering of Martin Smith House within proposal
(Provided by Applicant)**



Preliminary Elevation Drawings for New Building



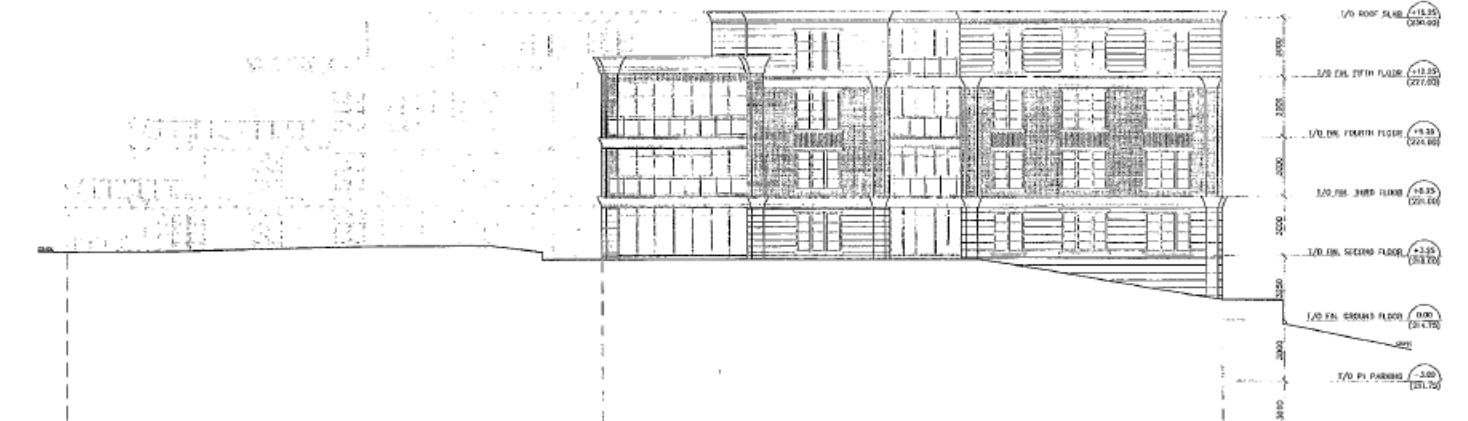
1 EAST ELEVATION
SCALE: 1/16"



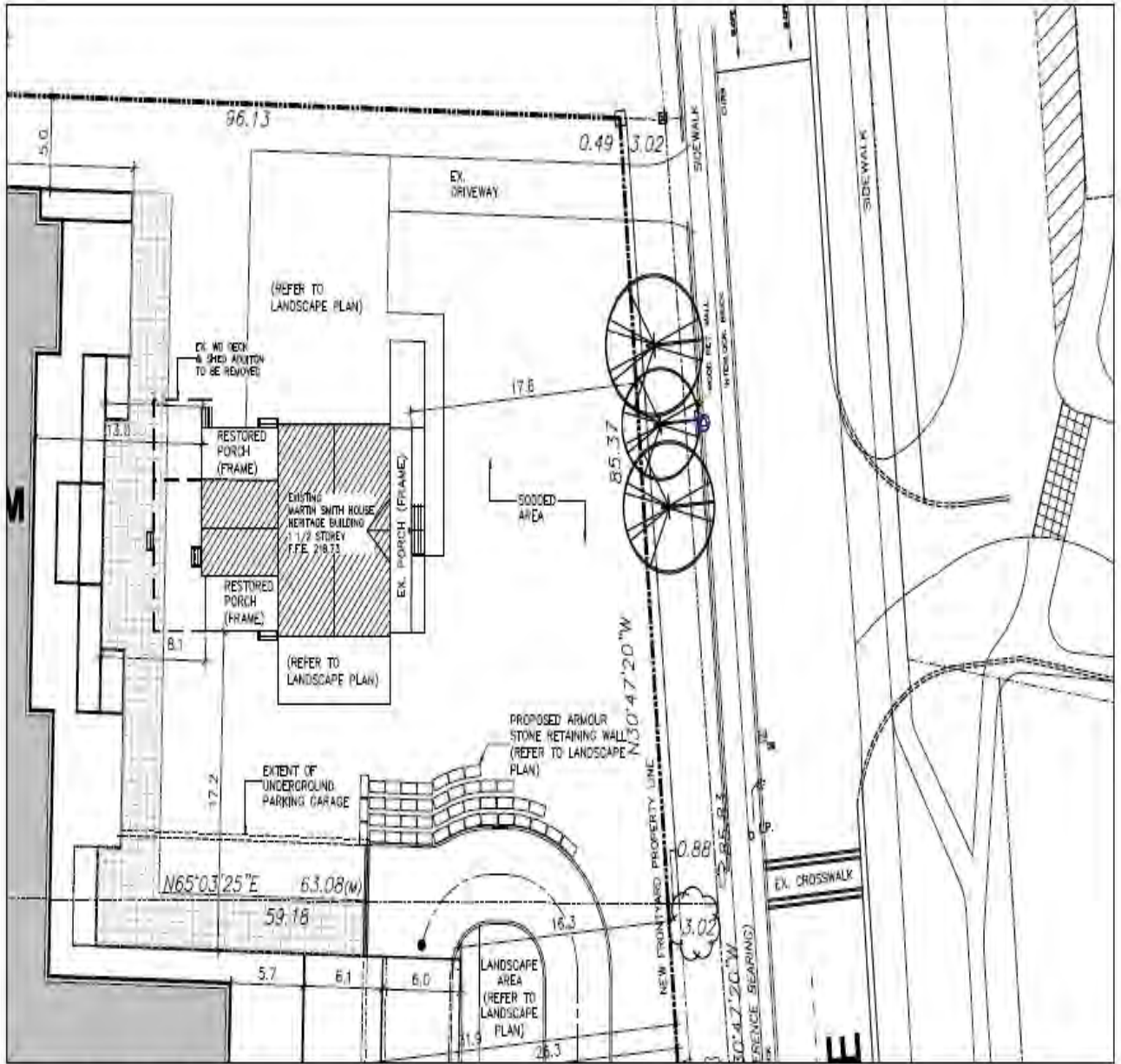
2 SOUTH ELEVATION
SCALE: 1/16"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



Site Plan for Martin Smith House



SITE PLAN INFORMATION TAKEN FROM PLAN
 SHOWING PART OF LOT 23 CONCESSION A,
 CITY OF VAUGHAN
 PREPARED BY: VLADIMIR KROCMAR LTD. O.L.S. 1999
 SIGNED BY: ROBERT WEGENBROKER O.L.S.
 DATED: OCTOBER 7, 1999
 SCALE: 1:300

Elevation Drawings Showing Proposed addition to Martin Smith House

LEGEND

	NEW WALL (SEE NOTES)
	EXISTING WALLS TO REMAIN
	EXISTING WALLS TO BE REMOVED



2 EAST (FRONT) ELEVATION



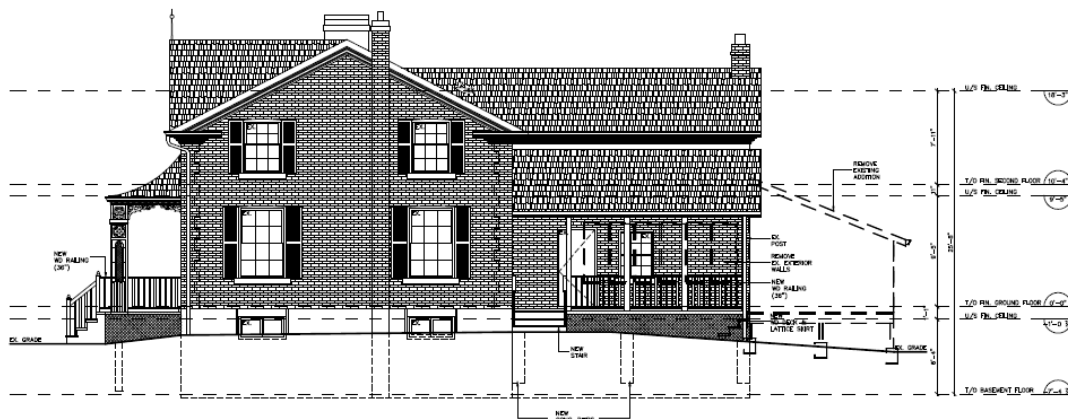
1 SOUTH (SIDE) ELEVATION



LEGEND

	NEW WALL (SEE NOTES)
	EXISTING WALLS TO REMAIN
	EXISTING WALLS TO BE REMOVED

2 WEST (REAR) ELEVATION



1 NORTH (SIDE) ELEVATION