

AGENDA
and Schedule "A"
to the minutes of the
Windsor Heritage Committee
meeting held
Wednesday, March 12, 2014
at 5:30 o'clock p.m.
Room 407, 400 City Hall Square East

1. **CALL TO ORDER**

2. **ADOPTION OF THE MINUTES**

Adoption of the minutes of the meetings held January 8 and January 29, 2014 (*previously distributed*)

3. **DECLARATIONS OF CONFLICT**

4. **DELEGATIONS**

Mr. Vern Myslichuk, regarding *Item 5.1*

5. **BUSINESS ITEMS**

5.1 **Low-Martin House, 350 City Hall Square West**

Consider request for a grant of \$52,500 from the Community Heritage Fund, with an option of an additional \$7,035. The report of the Heritage Planner dated March 4, 2014 entitled "Low Martin House, 2021 Ontario Street - Heritage Grant" - *attached.*

5.2 **Ontario Heritage Conference (ACO / CHO), May 23-25, 2014**

Determine which Committee member will attend the annual conference in Cornwall.

6. **COMMUNICATIONS AND ANNOUNCEMENTS**

6.1 **Heritage Week, February 17-23, 2014**

Also Council presentation on March 3, 2014.

6.2 **Ontario Heritage Trust Awards**

2014 Recognition Programs. Document entitled "Ontario Heritage Trust announces recipients of volunteer achievement awards" - *attached.*

6.3 **Doors Open 2014**

Next meeting to be held on March 19, 2014

6.4 Archaeological Site

Status of request

7. DATE OF NEXT MEETING

The next regular scheduled meeting will be held on May 14, 2014 at 5:30 o'clock p.m. in Room 407,400 City Hall Square East.

8. ADJOURNMENT

**THE CORPORATION OF THE CITY OF WINDSOR
Office of the City Clerk - Planning Department**

MISSION STATEMENT:

"Our City is built on relationships - between citizens and their government, businesses and public institutions, city and region- all interconnected, mutually supportive, and focused on the brightest future we can create together."

LiveLink REPORT #: 17069	Report Date: March 4, 2014
Author's Name: John R. Calhoun	Date to Committee: March 12, 2014
Author's Phone: 519-255-6543 ext. 6179	Classification #:
Author's E-mail: jcalhonn@city.windsor.on.ca	

To: Windsor Heritage Committee

Subject: Low-Martin House, 2021 Ontario Street - Heritage Grant

1. RECOMMENDATION: City Wide: _____ Ward(s): 1

That a grant in the amount of \$52,500.00 from the Co=unity Heritage Fund, for the Low□ Martin House, 2021 Ontario Street **BE APPROVED;** and

That the Windsor Heritage Committee consider, as is within their mandate, approval of the additional amount of \$7,035.00 which is in excess of the guidelines for allowable maximum grants;

Provided that funds up to the approved amount will be disbursed when work is complete, and work receipts produced. The Chief Building Official and City Planner will determine if work is according to applicable codes and historic standards.

(photo submitted by applicant)

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5.1

EXECUTIVE SUMMARY:

N/A

2. BACKGROUND:

On February 13, 2013, owner Vern Myslichuck submitted an application for the Community Heritage Fund (Appendices 'B' and 'C'), identifying total costs of \$202,777 + HST.

The Low-Martin House has long been considered one of Windsor's outstanding heritage buildings. It was included in the first group of non-designated listings in the municipal Register in August 2007. It was designated under Part IV of the *Ontario Heritage Act* by Council via By-Law No. 58-2008 passed on April 14, 2008. After a request by the current owner, this by-law was replaced on October 15, 2012 with By-Law No. 148-2012. (See Appendix 'A'.) The change removed interior features from the designation.

In 2008, Council approved (Council M213-2008) a grant of \$52,274 from the Community Heritage Fund to the previous owner for roof replacement. The existing roof was asphalt shingles; the replacement roof was wood shingles, with a design similar to that documented to be original. As provided in the guidelines of the Fund, the grant was for one-half the difference in costs between replacement of the existing material and the use of documented earlier material. The work was completed and the grant paid; no other such grants have been approved for the property.

3. DISCUSSION:

Proposal:

The recommendation would provide a City grant for part of the cost of needed repairs. The work has largely been completed.

Legal provisions:

Part IV, clause 39. (1) of the *Ontario Heritage Act* provides that "The council of a municipality may pass by-laws providing for the making of a grant or loan to the owner of a property designated under this Part for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the council may prescribe."

The City's Community Heritage Fund exists to encourage the conservation of the built heritage through the provision of financial assistance to owners wishing to acquire and/or conserve designated heritage properties. The policies for Community Heritage Fund grants are outlined on the City website (<http://www.citywindsor.ca/residents/planning/Plans-and-Community-Information/Know-Your-Community/Heritage-Planning/Heritage-Preservation-Incentive-Programs/Heritage-Fund/Pages/default.aspx>). This fund is limited to designated properties, and generally for heritage attributes listed in the designation by-law.

Architectural Considerations:

The copper eavestroughs added with this project replace an original feature removed about 2008 and lost. Otherwise the work done to the exterior consists of repair, or replacement of the most

deteriorated elements with similar new material, with no change in design. The exterior work done thus far appears to be well within established good conservation practices.

Official Plan Policy:

The Windsor Official Plan includes (9.3.6.1.), "Council will manage heritage resources by: (e) providing support and encouragement to organizations and individuals who undertake the conservation of heritage resources by private means".

4. RISK ANALYSIS:

For the Community Heritage Fund, no City funds will be expended until the project is determined by the Planning and Building departments to be complete according to good practices.

The previous owner signed a heritage easement to the City before funds for the roof replacement were granted. That easement is binding upon subsequent owners.

5. FINANCIAL MATTERS:

Expenditures in addition to the Community Heritage Fund grant are entirely those of the property owner. The owner is aware that work undertaken before grant approval might not be funded. The owner is requesting the "maximum allowable grant" with no loan request.

For repairs, the guidelines provide: "The amount of any loan/grant combination for any one designated property in any single year may be appropriate to the extent of the restoration work proposed, and to the historic and/or architectural significance of the property. As a general principle, awards will be limited to a maximum of \$50,000 unless the Windsor Heritage Committee so recommends and Council approves. The award from the Community Heritage Fund will generally be given according to the following formula: Grant: 15 percent of the award in the form of a grant & Low Cost Loan: 85 percent of the award."

Thus the maximum grant is \$7,500 per year. In recent years applicants have been encouraged to request two years of grants, or \$15,000, if they are not expecting to ask again for two years. As stated in the guideline above, the Committee may recommend higher amounts.

Another guideline is for replacement with historic material instead of a newer material: "In the event the property owner proposes to return to documented original materials/construction techniques (i.e. cedar shingle roof) a grant in the amount of half the cost difference between modern materials and the original material may be considered." No maximum amount is stated.

The funding recommendations are based upon the numbers summarized on page 42 of Appendix 'C', the attachment to the funding request.

Part 1 (repairs to windows, doors, balconette): $\$97,500.00 + \text{HST} = \$110,175.00 \times 15\%$
 $= \$16,526.25$

Part 2 (repairs to back porch): $\$32,500.00 + \text{HST} = \$36,725.00 \times 15\% = \$5,508.75$
 $15\% \text{ of Part 1 and Part 2} = \$16,526.25 + \$5,508.75 = \$22,035.00$

Part 3 (replacement of eavestroughs with historic material): $\$72,777.00 + \text{HST} = \$82,238.01$

If Part 3 replaced by typical material, \$6,405.00 +HST= \$7,237.65

Difference between historic and typical material= \$82,238.01 - \$7,237.65 = \$75,000.36

Half the difference between historic and typical= \$37,500.18, rounded to \$37,500

As is stated above, the guideline for the maximum grant amount for repairs is \$7,500.00 per year, or \$15,000.00 for a two year period. Further, so long as the prescribed formula is followed, there is no restriction on the amount which can be awarded for the costs associated with the replacement of items with historical materials.

In keeping with these guidelines, Administration recommends approval of the following grant amounts:

\$15,000 for two years' maximum grant for Parts 1 and 2 plus half the difference of Part 3:
 $\$15,000 + \$37,500 = \$52,500$

Additionally, as is within its mandate, the Committee may wish to consider and recommend to Council that the following amount which is in excess of the guidelines also be approved as a grant:

\$22,035 (being the total amount as per the formula for Parts 1 and 2) minus the \$15,000.00 for parts 1 and 2 already recommended for approval= \$7,035

The Community Heritage Fund (reserve fund 157) currently has an available balance of \$44,736, which is the total balance of \$413,340, less \$368,604 of encumbrances and a minimum balance requirement. (The encumbrances include \$250,000 for Assumption Church; of which a maximum of \$50,000 could be awarded in the next twelve months only if half the work on the east wall is done.) The City Council approved \$36,800 in the 2014 budget; that amount will be transferred next month for an available balance of \$81,536. No other grant requests are pending.

6. CONSULTATIONS:

Prior to the funding application, the Heritage Planner met with the owner on-site to discuss the heritage attributes. Some discussions resulted in the change of the designation by-law in 2012. Good conservation principles, including the Standards & Guidelines for the Conservation of Historic Places in Canada, were discussed.

1. SION:

Approval is recommended for the request by Vern Myslichuk for a grant between \$52,500 and \$59,535 from the Community Heritage Fund, for repairs to the windows, doors, balcony and rear porch, and replacement of the eavestroughs at the Low-Martin House located at 2021 Ontario Street.

The owner should be commended for an outstanding rehabilitation of one of Windsor's iconic buildings.

Thom Hunt

Heritage Planner

**Valerie Critchley _____
City Clerk/Licence Commissioner and
Corporate Leader Public Engagement and
Human Services**

JC

NOTIFICATION:				
Name	Address	Email Address	Telephone	FAX
Vem Myslichuk	3275 Odessa Dr Tecmseh ON NSN 2M1	bettermade@bellnet.ca	519-739-3330	

Appendix 'A': Heritage Designation By-Law

Low-Martin House/ Devonshire Lodge, 2021 Ontario Street
By-Law No. 148-2012 approved by City Council, October 15, 2012

This schedule replaces the wording in By-Law No. 58-2008.

SCHEDULE "B"

Description of Historic Place

The Low-Martin house at 2021 Ontario Street, situated diagonally on the southeast corner of Devonshire Road in the heart of the former Town of Walkerville, is a famous landmark in Windsor. It was built in 1928 for Harry Low, a tool-maker who became a well-known rumrunner during Prohibition. It later became the home of renowned Canadian politician Paul Martin (Sr.) Both the main house and the rear garage/servant's quarters are in the Cotswold style, built of rusticated stone with an unusual, undulating roof with contours similar to thatch.

Historic Value

The Low-Martin house was built in 1928 for Harry Low, a toonaker who became one of the giants of the rum-running trade during Prohibition. The house was originally called "Devonshire Lodge" and these words are embedded in the front walkway. It cost Harry Low nearly \$130,000 to build in 1928. Ultimately, the Depression and legal problems lost Low his house on Ontario Street in the early 1930s, and Low died in relative obscurity in Windsor in 1955.

In 1961 renowned Canadian politician Paul Martin (Sr.) and his wife Nell bought the house. Paul Martin has been referred to as "Windsor's most famous son" and has made his mark in local and Canadian history - representing Windsor from 1935 to 1968, serving as High Commissioner to Great Britain in the 1970s, and helping establish many of Canada's social programs. Paul Martin (Jr.) followed his father's footsteps into politics, serving as Canada's Finance Minister before serving as Prime Minister from December 12, 2003 to February 5, 2006. He was in his 20s when his parents bought the home.

Architectural Value

It is likely that builder George Lawton designed and built the 4,000 square-foot (370 m²) main house and a 1,700 square-foot (160 m²) servant's quarters/garage to the rear in consultation with the original owner, Harry Low. The Low-Martin house is a 2-½ storey rusticated stone English Cottage or "Cotswold" style house - the only one of this style in the city and perhaps in all of Essex County. It is sited diagonally on the lot facing the corner of Ontario Street and Devonshire Road. Its convex facade is composed of numerous bays with elements such as jerkin-headed gables, a conical roof over the rounded bay, a recessed balconette over the arched recessed entrance, leaded glass, and oriel windows.

The roof is characterized by shingles that "roll" over the eaves. The undulating roof originally consisted of four layers of wafer thin wooden shingles imported from England laid over a complex wooden framework. In the 1960s John Braithwaite, roofer, used asphalt shingles in layers to emulate the rolled appearance.

A garage/servant's apartment in the same style, with access from Argyle Road, is located east of the house. A garden wall and winding stone path leading to the main entrance complement the main structures.

Contextual Value

The Low-Martin house is one of Windsor's most important, beautiful and recognized homes - a heritage landmark in the former Town of Walkerville - one of the last remaining nineteenth century garden/company towns left in the world. Walkerville (amalgamated with Windsor in 1935) was founded by Detroit distiller Hiram Walker in 1858 and the Walker family supported and guided the town's development for seven decades. The town developed from north (Detroit River) to south (largely Ottawa Street), and the Low-Martin house (constructed in 1928) is one of the finest estate homes built during Walkerville's later stages of development.

Character Defining Elements

Items that contribute to the historical value of the Low-Martin house include:

- Its association with toolmaker turned infamous "rumrunner" Harry Low who had the estate, known as Devonshire Lodge, built in 1928.
- Its association with renowned politician, the Right Honourable Paul Martin and his wife Nell, who owned the house for some 34 years (1961-1995).
- Its association with well known Liberal party politicians who were guests to the house - including Prime Ministers Lester B. Pearson and Pierre Elliott Trudeau.

Exterior features that contribute to the architectural value of the Low-Martin house (main house and rear garage/servant's quarters) include:

- Its association with well-known local builder, George Lawton, who built the house and likely designed it in consultation with Low.
- Its rare English "Cotswold" Cottage style - the only known house of this style in Windsor.
- Its estate status with crescent-shaped main house and garage/servant's quarters behind.
- Its original landscape elements - the rear garden wall and winding stone path.
- Its overall quality construction of rusticated stone with limestone trim, decorative wooden elements, and copper eaves/downspouts.
- Its undulating roof that emulates thatch (originally clad in wafer-thin wooden shingles) featuring the conical roof over the rounded bay and jerkin-headed gables.
- Its architectural embellishments such as asymmetrical bays, recessed balconette over the arched recessed entranceway, oriel windows with leaded bevelled glass, and curved glass in windows under the conical roof.
- Its recessed arched stone main entrance with ornate arched wooden door.
- Its leaded bevelled glass windows of varied sizes/uses with the prominent non-figurative design being an upper triangle, central tri-pane design over a bottom bi-pane motif.
- Its small paned wooden windows, primarily in 4/4 design where leaded glass is not used.

Characteristics that contribute to the contextual value of the Low-Martin house include:

- Its status as a landmark home in the former Town of Walkerville - one of the last remaining nineteenth century garden/company towns left in the world.
- Its status as one of the last remaining estate properties in Walkerville - consisting of a main house and garage/servant's quarters.

- Its site configuration that results in unobstructed views of the prominent main house spanning the southeast corner of Devonshire Road and Ontario Street, with garage/servant's quarters behind.