



Report to: Development Services Committee

Meeting Date: December 11, 2012

SUBJECT: Site Plan Control Application SC 12 112285
14 David Gohn Circle
Markham Heritage Estates

PREPARED BY: George Duncan, Senior Heritage Planner, ext. 2296

REVIEWED BY: Regan Hutcheson, Manager of Heritage Planning, ext.2080

RECOMMENDATION:

- 1) THAT the report dated December 11, 2012, entitled "Site Plan Control Application SC 12 112 285, 14 David Gohn Circle, Markham Heritage Estates", be received;
- 2) THAT the Site Plan Control Application for the addition of a second storey to the rear of the James Thomas House at 14 David Gohn Circle be endorsed in principle subject to compliance with the following conditions prior to final approval:
 - a) That the Owner enter into a site plan agreement with the City, which shall include without limitation, provisions for the payment by the Owner of all applicable fees, recoveries, development charges, parkland dedication, letter of credit requirements and financial obligations;
 - b) That prior to the execution of the site plan agreement, the Owner shall submit final drawings, and comply with all requirements of City and authorized public agencies, to the satisfaction of the Commissioner of Development Services;
 - c) That the Owner submit the drawings required for the design and construction of the front porch either as per the restoration drawings approved in 1993 or another design appropriate to the architectural style of the dwelling in consultation with Heritage Section staff; and
 - d) That site plan approval shall lapse after a period of three years commencing December 11, 2012 in the event that the Owner does not enter into a site plan agreement with the City during that period.
- 3) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

The James Thomas House was relocated to Markham Heritage Estates in 1993 and is designated under the Ontario Heritage Act. A Site Plan Agreement was executed with the original owners in 1993 and included approved drawings for the replication of a front porch that once was on the dwelling. This porch can be seen in an early archival photograph and is identified in the Heritage Designation By-law. The historic porch was not built and the property was subsequently sold to the current owner in 2004.

Markham Heritage Estates is a well-known showcase of restoration best practices for the remainder of the community. Since 2011, staff has been trying to resolve outstanding restoration work on several properties in the Estates including 14 David Gohn Circle. In May 2012, the current owners applied for site plan approval to construct a second storey to the existing rear addition and for a new porch but of a different design. Although Heritage Markham and Heritage staff have no objection to the proposed addition, an impasse has occurred regarding the construction of the front porch design as approved in 1993 versus the owner's wish to construct a porch in another design they considered appropriate to the architectural style of the house. The owner has questioned the structural capability of the original porch design and its ability to provide shelter. City Building Department staff has confirmed that it could be built if properly engineered.

As per the Ontario Heritage Act, where Heritage Markham has provided a recommendation and the applicant does not concur, the matter is referred to Council for a final decision. The Commissioner of Development Services recommends that the site plan application be endorsed for approval subject to the applicant building the porch as per the restoration drawings approved in 1993 or another design appropriate to the architectural style of the dwelling in consultation with Heritage Section staff.

PURPOSE:

The purpose of this report is to seek Council's endorsement in principle of a Site Plan Control Application for an addition to the historic James Thomas House at 14 David Gohn Circle, Markham Heritage Estates, including a condition to construct a front porch as required by the original site plan agreement or another design appropriate to the architectural style of the dwelling in consultation with Heritage Section staff.

BACKGROUND:

The James Thomas House was relocated to Markham Heritage Estates in 1993

The James Thomas House, c.1856, is a two storey brick dwelling constructed in a distinctive regional form that combines elements of Gothic Revival and Georgian architecture (see Building Photograph, Figure 2). Originally located at 9792 Highway 48, the house was relocated to Markham Heritage Estates by the previous owner in 1993.

The property is designated under Part IV of the *Ontario Heritage Act*

The property at 14 David Gohn Circle was designated under Part IV of the *Ontario Heritage Act* in 1997 (By-law 46-97). The Reasons for Designation that form Schedule 'B' of By-law 46-97 describe the significant historical and architectural attributes of the James Thomas House, and refer specifically to the historic front porch (see Reasons for Designation, Appendix 'A').

A Site Plan Agreement was entered into by the original owners in 1993

Markham Heritage Estates is an area subject to Site Plan Control. The original owners of the property that relocated and restored the house entered into a Site Plan Agreement with the municipality in 1993. The Site Plan Agreement contained requirements relating to the restoration of the James Thomas House, and included detailed architectural drawings relating to the extent of the restoration work to be undertaken.

The construction of a front porch shown in an early photograph was included in the original restoration plan

As a part of the original restoration plan approved in 1993, a lightly-proportioned front porch reflecting the Gothic Revival influence of the large window centred on the wall of second floor was to be constructed. This porch was illustrated in an early archival photograph (see archival photo, Figure 3). The outline of the roof of the former porch can faintly be traced on the brick wall surface. The former existence of the porch is described as a significant architectural attribute in the Reasons for Designation in By-law 46-97. The original owners who restored the house did not construct the front porch as required by the Site Plan Agreement and approved plans and elevations attached to that agreement (see approved front elevation, Figure 4).

The property has since been sold to new owners, who have added a detached garage and a single-storey rear addition

The property was sold to the current owners in 2004. At the time the property was about to change ownership, the original owner was advised by staff that he should disclose to the purchasers that the property was subject to a Site Plan Agreement and that there were outstanding matters.

The new owners received approval and constructed a one storey rear addition to the house and a detached garage in 2006 (Site Plan Control Application SC 05 021719), but did not address the matter of the outstanding front porch as part of that application.

Since 2011, staff has endeavored to resolve outstanding restoration work on several properties in Markham Heritage Estates

Acting on the complaints of property owners in Markham Heritage Estates and the recommendation of Heritage Markham, staff has endeavored to resolve outstanding restoration work on several properties in the heritage subdivision. The house at 14 David Gohn Circle is among them. In some cases, the City never secured or no longer holds financial securities to compel owners to complete their projects. In addition, some of the non-compliant properties have changed ownership and the new owners are not motivated to complete projects which they did not initiate.

Letters requesting compliance with approved Site Plan Agreements/ restoration plans have gone out to the affected property owners with little response. Heritage Markham has formed a sub-committee with the aim of opening a dialogue with property owners to seek completion of outstanding restoration work. Staff is currently working with City Legal Department staff to develop an effective strategy to resolve the issues.

Markham Heritage Estates is a well-known showcase of restoration best practices

Markham Heritage Estates is a showcase of restoration best practices, something that Markham is well-known for. This is a special area where building exteriors are restored to a state that comes close to a museum quality standard in terms of details and materials. The completion of restoration projects in accordance with approved plans is therefore an important consideration in the success of each project and Markham Heritage Estates as a whole.

A new Site Plan Control Application is under review for 14 David Gohn Circle

A new Site Plan Control Application was submitted by the current owners in May, 2012, for a second storey to be added to the rear addition constructed in 2006, and for a front porch in a different design from the porch approved in 1993. The requirement to construct the porch in the design based on the original approved restoration plan was discussed with the applicants at a pre-consultation meeting held in March, 2012, prior to the formal submission of the Site Plan Control Application.

Heritage Staff and Heritage Markham support the design of the second storey addition, but have reached an impasse with the owner regarding the front porch

The Site Plan Control Application has been reviewed by Heritage Section staff and Heritage Markham, and there are no issues with the design of the proposed second storey addition. However, the owners and their agent have concerns about the feasibility of constructing the front porch in the design based on the archival photograph and approved elevations from the 1993 site plan approval. They do not wish to construct the porch in the original approved design, but would be willing to build a porch in another design appropriate to the architectural style of the house.

This matter has been before Heritage Markham on two occasions, first in April 2012 for feedback prior to the formal submission of the Site Plan Control Application, and again in June, 2012 (see Heritage Markham Extracts, Appendix 'B' and 'C'). Both Heritage Section staff and Heritage Markham are of the opinion that the new second storey addition should be endorsed, subject to conditions including the construction of the front porch in compliance with the original approved plans prior to final approval.

OPTIONS/ DISCUSSION:**The feasibility of constructing the porch has been discussed with Building Department staff**

In response to the applicant's opinion that the porch cannot be constructed as a sound, permanent structure in accordance with the archival photograph and approved plans from 1993, Heritage Section staff met with City Building Department staff to seek their opinion. The response was that if the porch was properly engineered, it could be built. The applicants were advised to seek a designer for the porch with experience in heritage restoration of this specialized nature. In addition, staff visited a commercial restoration project in North York that had similar support posts and decorative features to look at how the structure was assembled and proportioned.

The applicants have requested that their current application for a second storey addition be expedited

The applicants met with staff on October 17, 2012, to request that their Site Plan Control application be expedited. They have asked that the construction of the front porch be removed from the scope of work so that the application for the second storey can be approved. Although staff has no issues with the design of the second storey addition, there is a concern that the opportunity to address the issue of the missing porch may be

lost without the incentive of an active development application where conditions can be included as part of site plan approval.

The Commissioner is recommending the applicant be offered options regarding the porch design.

The Commissioner of Development Services recommends that the site plan application be endorsed for approval subject to the applicant building the porch either as per the restoration drawings approved in 1993 or in another design appropriate to the architectural style of the dwelling in consultation with Heritage Section staff. The completion of this outstanding matter from the original site plan approval would ideally provide encouragement for other property owners with outstanding restoration issues to complete their work.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

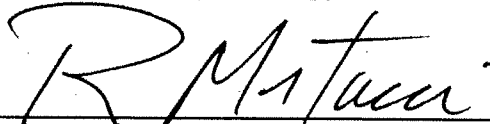
ALIGNMENT WITH STRATEGIC PRIORITIES:

The preservation and appropriate restoration of heritage buildings aligns with the strategic priorities of Managed Growth and Environment. Cultural heritage resources are an asset worthy of protection for their contribution to the quality of life and environment for the citizens, businesses and visitor in the community.

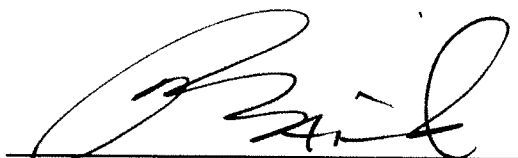
BUSINESS UNITS CONSULTED AND AFFECTED:

Not applicable.

RECOMMENDED BY:



Rino Mostacci, M.C.I.P., R.P.P.
Director of Planning & Urban Design



Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Building Photograph
- Figure 3: Archival Photograph
- Figure 4: Approved Front Elevation
- Appendix 'A': Reasons for Designation
- Appendix 'B': Heritage Markham Extract April 11, 2012
- Appendix 'C': Heritage Markham Extract June 13, 2012

Q:\Development\Heritage\PROPERTY\DAVDGOHN\14\DSCDec112012.doc

Figure 1

Owner Contact: John and Arda McGarry
14 David Gohn Circle
Markham ON L6E 1A7

Agent Contact: Russ Gregory, The Gregory Design Group
67 Summerfeldt Crescent
Markham ON L3R 2B1

Email: russ@gregorydesigngroup.net
Fax: 905-479-8496
Tel.: 905-479-4767

Location Map:

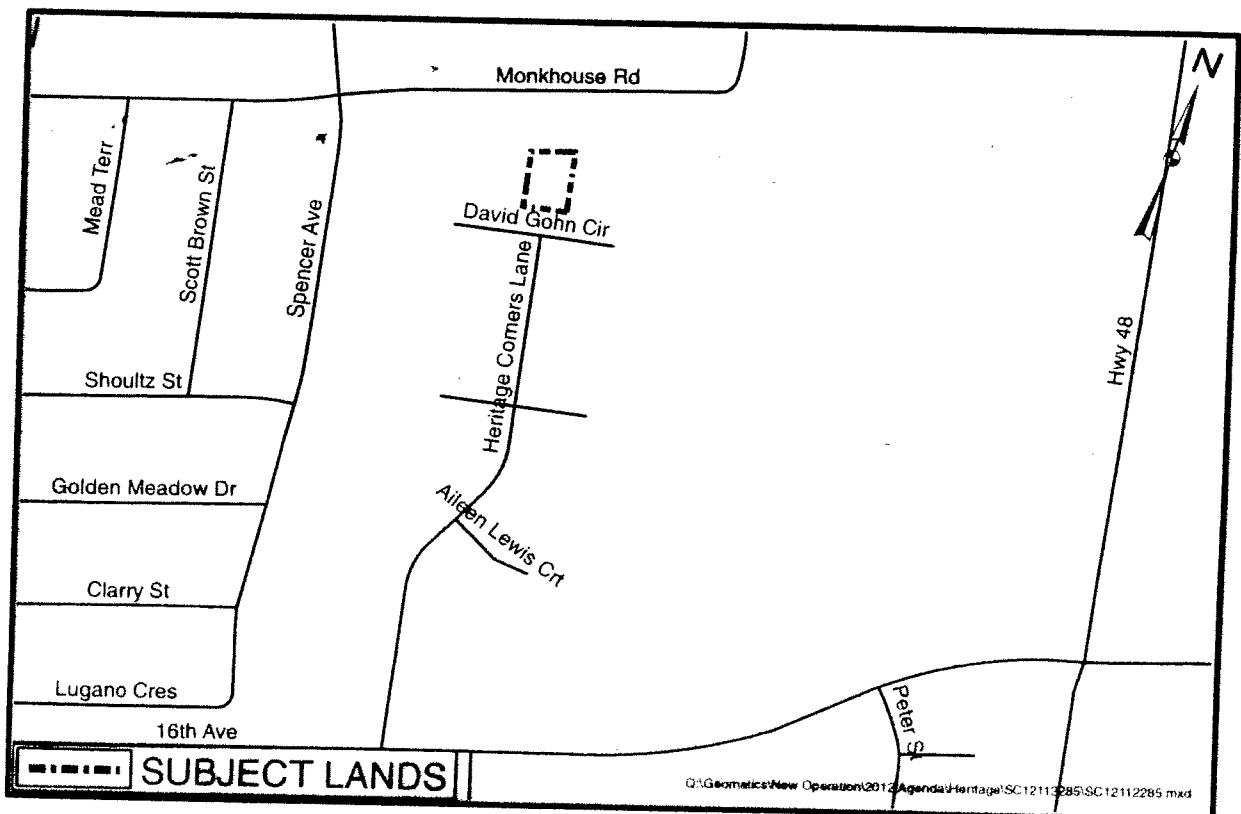
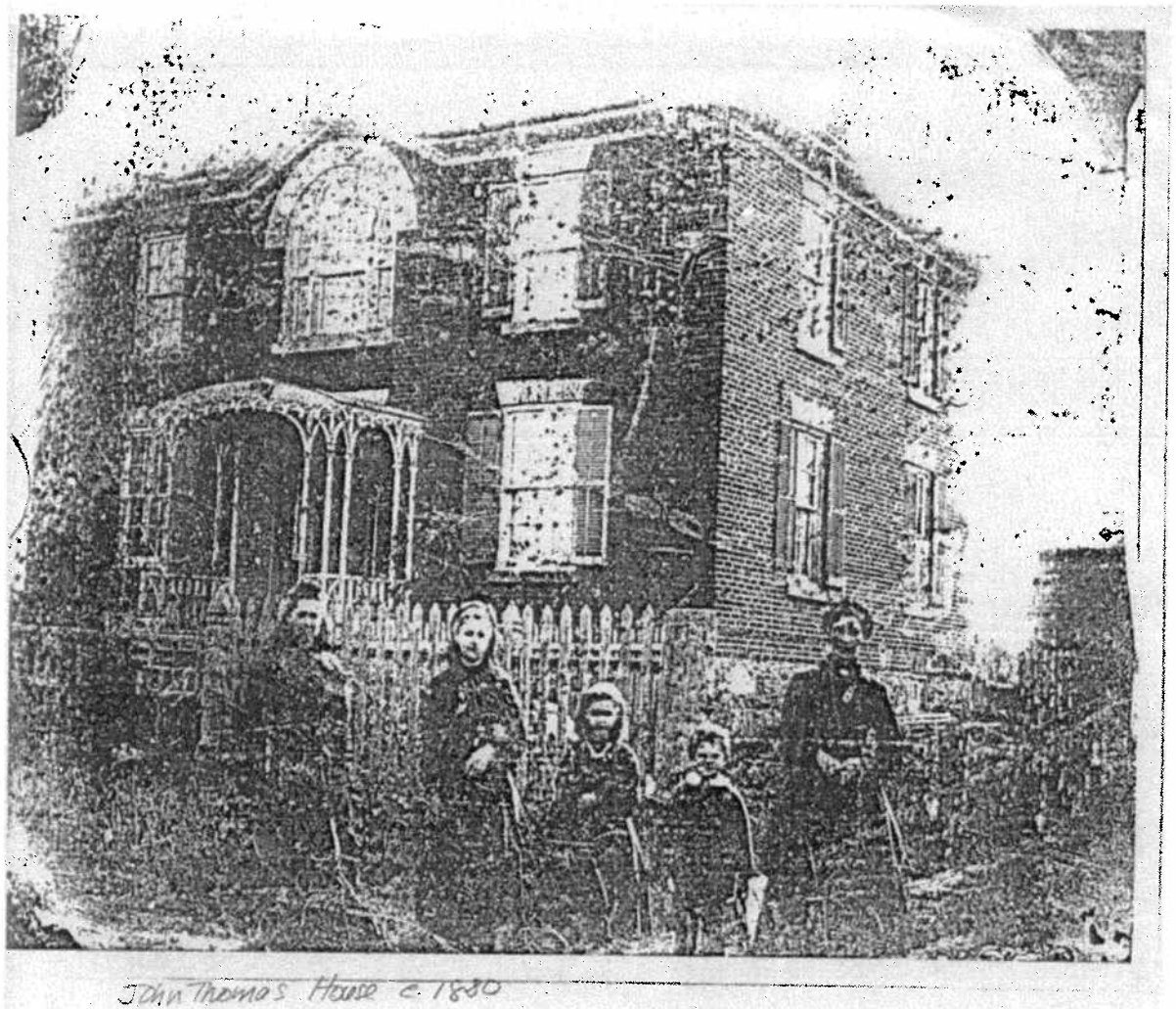


Figure 2: The James Thomas House, c.1856



Figure 3: Archival Photograph of the James Thomas House



John Thomas's House c. 1830

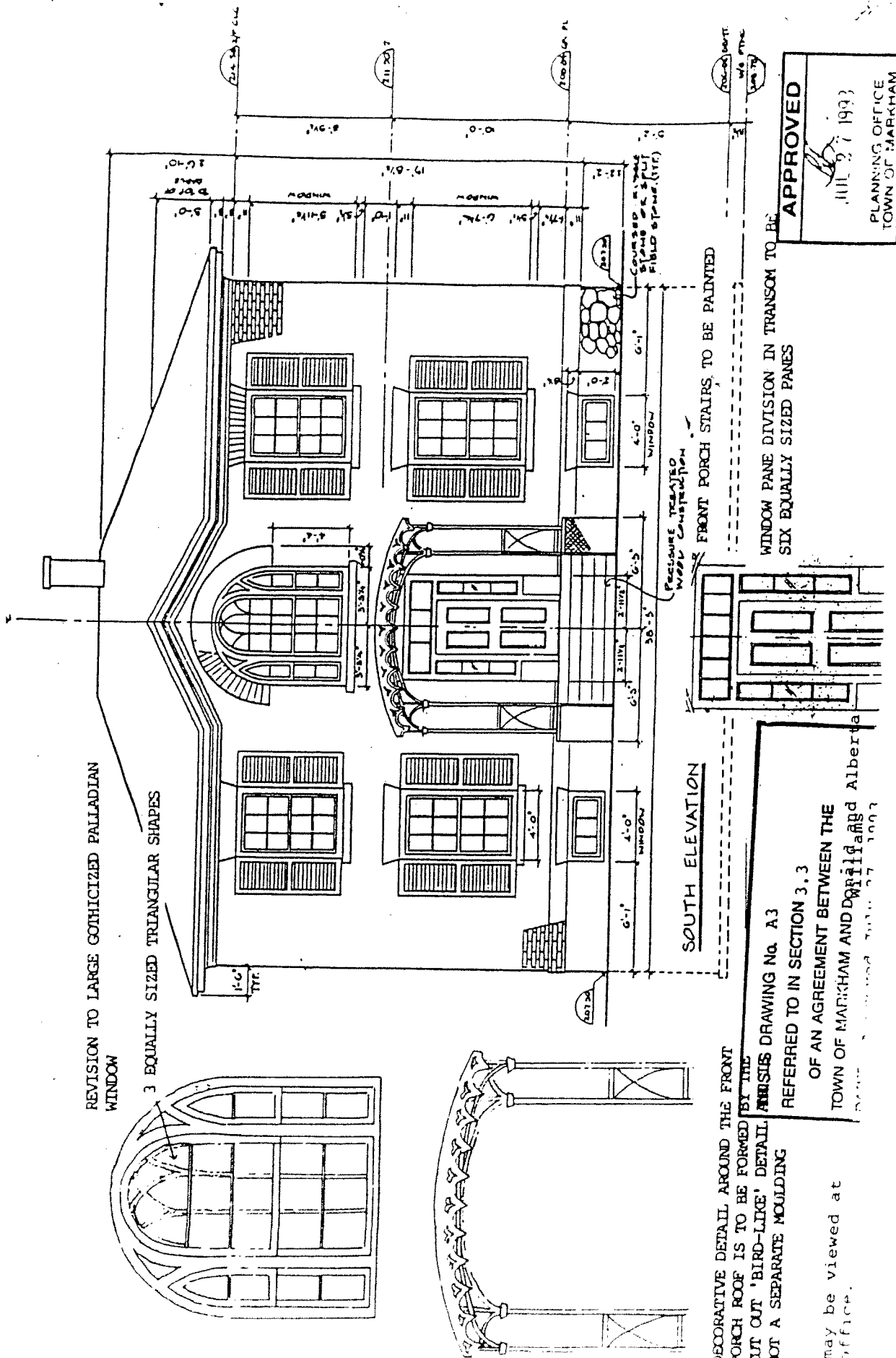


Figure 4: Approved Front Elevation (Original Site Plan Approval, 1993)

SCHEDULE 'B' TO BY-LAW NO. 47-97

APPENDIX A

STATEMENT OF REASONS FOR DESIGNATION

The James Thomas House is recommended for designation under Part IV of the Ontario Heritage Act because of its historical and architectural significance.

Historical Reasons

The James Thomas House was built c.1856 for the family of James Thomas on Lot 19, Concession 7 immediately to the north of the community of Mount Joy.

James Thomas was approximately 55 years old when he bought the property on which the house originally stood. He moved there after having lived for a short period in the Village of Markham. Born in England and a follower of the Church of England, James Thomas made his living on Lot 19, Concession 7 as a farmer.

James Thomas purchased the property in 1853 and is believed to have been the builder of the red brick farm house. Family records indicate that his eldest grand-daughter, Emma, was born in the two storey house in 1859. The two storey brick house on the Thomas property appears in the records of the 1861 Census taker. The farm house built by Thomas on Lot 19, Concession 7 is one of the most impressive to have been built in Markham Township and serves as a testament to the prominence of the Thomas family, in whose ownership it remained in until 1921.

Prior to his building of his home at Mount Joy, James Thomas was a resident of the community of Box Grove where he operated an inn. Census records reveal that James Thomas also resided in the area of Vinegar Hill. This is a curious fact since in it was in this vicinity in 1853, on Concession 8, along the west side of Highway 48, that Abraham Reesor built a home that was virtually identical to the Thomas House. It is interesting to note that the Reesor house was approximately the same distance from the south end of Markham Village as the James Thomas House was from the North and as a result, the houses would have been perceived by travellers to Markham along Highway 48 as gateways to the village. This unique pairing ended in 1978 when the Abraham Reesor House was demolished in anticipation of the construction of Highway 407.

In 1982 the James Thomas House was designated under part IV of the Ontario Heritage Act. In 1993, after years of abandonment, the James Thomas House was relocated to 14 David Gohn Circle at the Markham Heritage Estates, where it was carefully restored by its present owners.

Architectural Reasons

The James Thomas House is a 2 storey red brick farmhouse and is an excellent example of the Neo-Classical Style.

The house has a rectangular plan, three bays wide and two bays deep, and rests on a fieldstone faced foundation. The front facade exhibits the typical symmetry of Neo-Classical architecture. Outstanding features of the house include the large delicately detailed second storey gothic window and the centrally located entrance with sidelights, transom and detailed lower side panels.

5.

SCHEDULE 'B' TO BY-LAW NO. 47-97
PAGE 2

The house is constructed of red brick in a Flemish bond pattern, with a shallow centre gable and parged lintels. The house has a medium pitch hipped roof trimmed with generous returned eaves and a moulded frieze and soffit. The typical windows on the house are double hung 6/6, with parged lintels and wood sills.

Historic photographs of the house reveal that the building originally had an ornate, curved roofed wood porch, which enhanced the front entrance. The outline of this feature is visible today in the brickwork. Historic photographs also reveal the existence of wood shutters on all windows with the exception of the centre gothic window. Evidence also exists of symmetrical end chimneys, a wood shingled roof and a picket fence at the front of the house.

In its original location the house stood on a stone foundation. In 1993, the James Thomas House was relocated to the Markham Heritage Estates Subdivision where it stands today at #14 David Gohn Circle.

HERITAGE MARKHAM
EXTRACT

APPENDIX B

DATE: April 23, 2012
TO: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner

EXTRACT CONTAINING ITEM #16 OF THE FOURTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON APRIL 11, 2012

16. SITE PLAN CONTROL APPLICATION
14 DAVID GOHN CIRCLE
PROPOSED ADDITIONS & FRONT PORCH (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
P. Wokral, Heritage Planner
-

The Heritage Planner introduced this matter, explaining the proposed addition to the rear of 14 David Gohn Circle. The report from the Architectural Review Sub-Committee held on March 22, 2012, was provided, recommending replication of the front porch feature as close to the original as possible. Alternate designs were displayed.

Ms. Arda McGarry, applicant, was in attendance, and commented on the feasibility of the replicated design and the impact of the weather at this site.

Concern was expressed for Building Code requirements. The Committee considered a recommendation is premature at this time and suggested this matter be referred to staff to allow Heritage and Building Department staff to work with the applicant on the design.

HERITAGE MARKHAM RECOMMENDS:

★
THAT Heritage Markham provide the following recommendations on the preliminary submission (dated March 12, 2012) for the proposed additions to the James Thomas House at 14 David Gohn Circle:

THAT Heritage Markham is generally in agreement with the design for the proposed second storey addition to the rear of the heritage house, with the suggestion that windows be added to the side walls;

AND THAT a picket fence in the front yard, and brick chimneys at the east and west end walls of the heritage house, would enhance this significant heritage property;

AND THAT the historic front porch be reconstructed as reasonably possible based on the archival photograph, subject to further investigation by the applicant and staff on technical matters related to its structural design, and that the matter be delegated to staff;

AND THAT the anticipated Site Plan Control Application be submitted to Heritage Markham for review and comments;

CARRIED

HERITAGE MARKHAM
EXTRACT

APPENDIX C

DATE: June 20, 2012
TO: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Senior Heritage Planner

EXTRACT CONTAINING ITEM #13 OF THE SIXTH HERITAGE MARKHAM
COMMITTEE MEETING HELD ON JUNE 13, 2012

13. SITE PLAN CONTROL APPLICATION
SC 12 112285
14 DAVID GOHN CIRCLE
PROPOSED ADDITIONS TO JAMES THOMAS HOUSE (16.11)
Extracts: R. Hutcheson, Manager of Heritage Planning
G. Duncan, Senior Heritage Planner

The Senior Heritage Planner advised that this item had been discussed at the previous Heritage Markham meeting, and the Site Plan application has since been received. Staff reviewed the recommended revisions and issues relating to the porch. Building Department staff have confirmed that the Committee's preferred design can be built if appropriately designed.

HERITAGE MARKHAM RECOMMENDS:

THAT Heritage Markham recommends that the windows on the side elevation of the rear addition be more in keeping with traditional mid 19th century window design and placement. This means that the window units should be separated and not doubled up, and if possible, aligned with the ground floor window openings. All windows should have 6 over 6 single hung glazing;

AND THAT the applicant engage a consultant (architect, designer or engineer) specializing in heritage restoration to create the plans for the historic front porch. If the porch cannot be constructed precisely as shown in the archival photograph, the consultant can propose alternative solutions that retain the basis design elements, but include larger structural supports where needed.

CARRIED