

Alterations to a Designated Heritage Property at 1299 Don Mills Road and Authority to Enter into a Heritage Easement Agreement

Date: August 5, 2019
To: Toronto Preservation Board
North York Community Council
From: Senior Manager, Heritage Preservation Services, City Planning
Wards: Ward 16 - Don Valley East

SUMMARY

This report recommends Council approve the proposed alterations at the existing two-storey house at 1299 Don Mills Road and enter into a Heritage Easement Agreement. The subject property at 1299 Don Mills Road - the George Gray House - is designated under Part IV of the Ontario Heritage Act, comprising a farmhouse built prior to 1894.

This application proposes to permit the creation of three new lots for three new detached dwellings and a retained lot for the existing George Gray heritage house, which will be retained in-situ. The new lots would be located at the corner of Don Mills Road and Legato Court, and front onto Don Mills Road for one lot, and Legato Court for the two other lots on the property currently known as 1299 Don Mills Road. The address of 1299 Don Mills Road would be maintained for the existing heritage dwelling, and new addresses for the proposed lots are to be assigned.

The proposal is to retain the original house and its 1920s two-storey eastern addition in-situ and to demolish the 1950s single-storey rear additions and the one-storey sunroom at the southwest. A new single-storey addition containing garage and residential space is proposed at the east elevation, along with a two-storey addition at the north, a new single-storey sun room and the alteration of the existing roof height at the existing rear addition. Landscape alterations include lowering the existing fence height along Don Mills Road, allowing for greater visibility of the property's primary western elevation. The proposed alterations would have a minimal impact on the heritage character of the existing building and are considered to be sensitive and appropriate.

RECOMMENDATIONS

The Senior Manager, Heritage Preservation Services, Urban Design City Planning recommends that:

1. City Council approve the alterations to the heritage building at 1299 Don Mills Road, in accordance with Section 33 of the Ontario Heritage Act, with such alterations substantially in accordance with the plans prepared by Makow Associates Architect Inc., dated June 20, 2019, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by ERA Architects, dated June 21, 2019 and on file with the Senior Manager, Heritage Preservation Services and subject to the following conditions:

a. That prior to the introduction of the bills for such Zoning By-law Amendment by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 1299 Don Mills Road in accordance with the plans prepared by Makow Associates Architect Inc., dated June 20, 2019, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by ERA Architects, dated June 21, 2019 and on file with the Senior Manager, Heritage Preservation Services and in accordance with the Conservation Plan required in Recommendation 1.a.2 below, to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;
2. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 1299 Don Mills Road prepared by ERA Architects, dated June 21, 2019, to the satisfaction of the Senior Manager, Heritage Preservation Services.

b. That prior to the issuance of any permit for all or any part of the property at 1299 Don Mills Road, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect;
2. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.2 above, including a description of materials and finishes, to be prepared by the project

architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan.

c. That prior to the release of the Letter of Credit required in Recommendation 1.b. 3 above, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

City Council adopted staff's recommendation to designate the property at 1299 Don Mills Road on July 7, 2017.

<https://www.toronto.ca/legdocs/bylaws/2017/law0720.pdf>

A pre-application meeting was held on September 16, 2016. The current application was submitted on December 23, 2016, and deemed complete on March 9, 2017. A Preliminary Report on the application was adopted by North York Community Council on April 4, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision and Preliminary Report can be found at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY21.34>
<http://www.toronto.ca/legdocs/mmis/2017/ny/bgrd/backgroundfile-102027.pdf>

BACKGROUND

Heritage Property

The property at 1299 Don Mills Road is located on the southeast corner of Don Mills Road and Legato Court. The property is designated under part IV of the Ontario Heritage Act with the passing of municipal by-law 2017-0720. The Statement of Significance that describes the cultural heritage value of the property and its heritage attributes can be found in Attachment 4.

Policy Framework

Provincial Policy Statement and Planning Act

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include building strong communities, wise use and management of resources, and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Planning Act and associated Provincial Policy Statement guide development in the Province and include the provincial interest regarding heritage resources as described in the Provincial Policy Statement issued under the authority of Section 3 of the Planning Act. The Planning Act requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial policy-led planning system.

Provincial Policy Statement 2.6.1 reads "Significant built heritage resources and significant cultural heritage landscapes shall be conserved".

Official Plan

The revised heritage policies in the City of Toronto Official Plan provide the policy framework for heritage conservation in the City. The following Official Plan policies apply to the proposed alterations:

3.1.5.4: "Properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and as adopted by Council."

3.1.5.5: "Proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City."

3.1.5.26: "New construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and characters of that property and to mitigate visual and physical impact on it."

Standards and Guidelines for the Conservation of Historic Places in Canada

At its meeting of March 3, 4 and 5, 2008, City Council adopted the Standards and Guidelines for the Conservation of Historic Places in Canada as the official document guiding planning, stewardship and conservation approach for all properties on the Heritage Register. The General Standards for Preservation, Rehabilitation and Restoration as well as the Additional Standards for Rehabilitation apply to the alterations proposed under this application.

<http://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

COMMENTS

The proposal will have some impact on identified heritage attributes.

This application proposes to permit the creation of three new lots for three new detached dwellings and a retained lot for the existing George Gray heritage house, which will be retained in-situ. The new lots would be located at the corner of Don Mills Road and Legato Court, and front onto Don Mills Road for one lot, and Legato Court for the two other lots on the property currently known as 1299 Don Mills Road. The address of 1299 Don Mills Road would be maintained for the existing heritage dwelling, and new addresses for the proposed lots are to be assigned.

The initial proposal for this Zoning By-law Amendment application proposed relocating the existing George Gray House to the northwest, and dividing the Development Site into four lots. The largest lot at the corner of Don Mills Road and Legato Court would be occupied by the relocated George Gray House, while three new detached dwellings were proposed on the three smaller lots, east of the George Gray House.

In the current proposal the original George Gray House and its 1920s two-storey eastern addition will be retained in-situ. An existing one-storey sun room at the southwest corner of the heritage house, not identified as a heritage attribute in the designation by-law, is proposed to be demolished and replaced with a new single-storey sun room. The replacement sun-room is designed to be complementary and subordinate to the heritage house, clad in wood-effect siding and transparent glazing.

The 1950s single-storey rear (east) additions, which are not identified as heritage attributes in the designation by-law, are proposed to be demolished and replaced by a new single-storey addition containing garage and residential space, wrapping around the northeast corner of the farmhouse to the north elevation, increasing to a two-storey addition. The location of the new addition at the north will cover heritage fabric and impact five windows on the George Gray House's north and east elevations. In order to mitigate the impact of this addition on the George Gray House's heritage attributes and

cultural heritage value a number of design considerations were employed: the brick-clad north addition was designed to be materially compatible with the heritage house and an existing first-floor arched window on the east return wall of the original wing of the George Gray House will be conserved on the interior of the north addition, with modifications proposed to allow this window to function as a passageway between the front foyer and the family room.

The two-storey addition on the north elevation extends the existing George Gray's massing to the north, filling in the void of the existing L-shaped plan and providing further interior space. The roof of the 1920s two-storey addition, whose existing roof ridge is lower than the original George Gray House roof height, is proposed to be raised to the height of the original house's roof height to provide for more interior space. This addition will cover some heritage fabric and impact one window on the north elevation identified as a heritage attribute. In order to mitigate the impact of this addition on the George Gray House's heritage attributes and cultural heritage value a number of design considerations were employed: the addition was designed to be compatible with the heritage house through its use of brick cladding and the legibility of the original house form will be conserved through elements that retain the legibility of the original massing and roofline.

Proposed landscape alterations include the alteration of the existing western fence to a lower fence with distinct design from the adjacent fencing. This lower fence will allow for greater visibility of the heritage building's primary western elevation from Don Mills Road.

The proposed alterations would have a minimal impact on the heritage character of the existing building and are considered to be sensitive and appropriate. For these reasons, staff supports the application to alter the existing heritage property at 1299 Don Mills Road.

CONTACT

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SIGNATURE

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Urban Design, City Planning

ATTACHMENTS

Attachment 1: Location Map

Attachment 2: Photographs of existing building

Attachment 3: Details of proposed alterations

Attachment 4: Statement of Significance

ATTACHMENT 1: LOCATION MAP



Property location

ATTACHMENT 2: PHOTOGRAPHS OF EXISTING BUILDING



View (facing east) of the existing property's primary west elevation, including the one-storey sunroom.



View (facing west) of the east elevation of the existing property.



View (facing north) of the south elevation of the existing property.

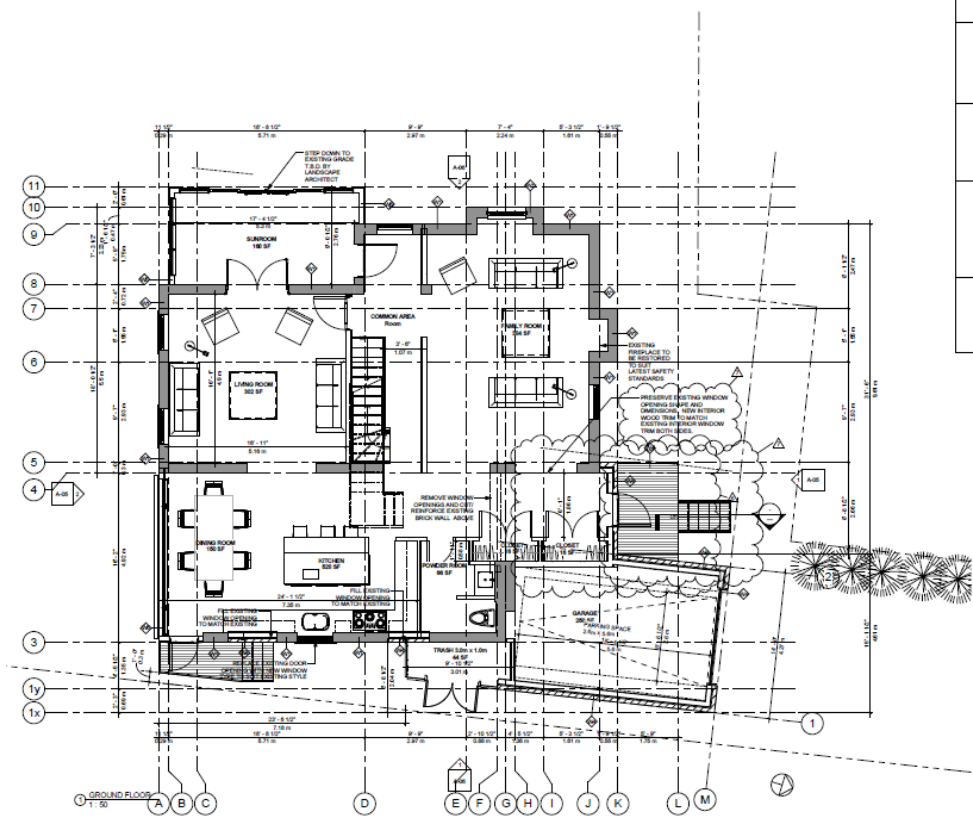


Partial view of the property's northern elevation.

ATTACHMENT 3: DETAILS OF PROPOSED ALTERATIONS



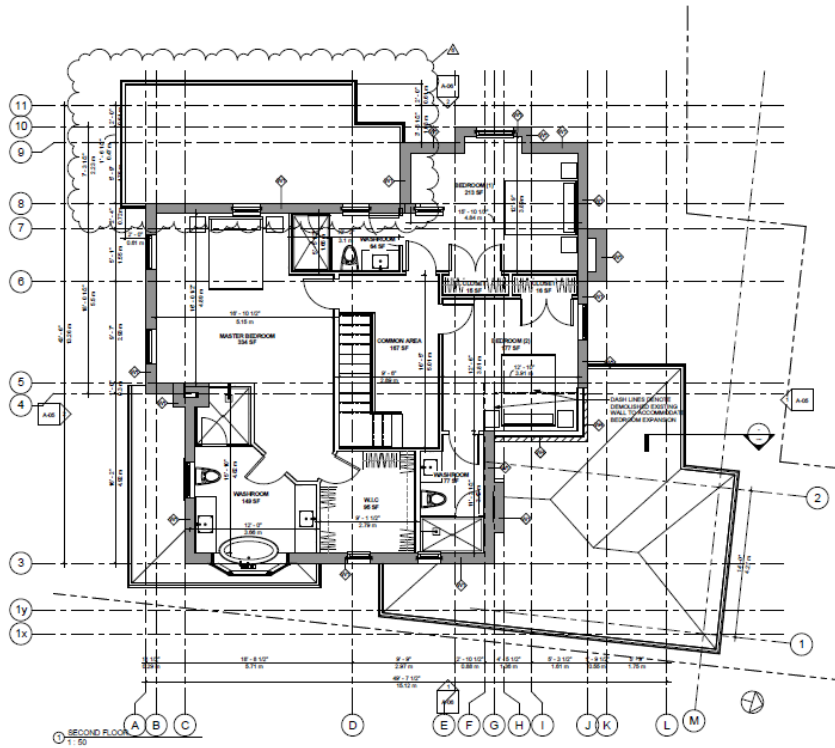
Site Plan showing proposed additions to heritage building (heritage building located at lower-left / southwest corner, property line highlighted), proposed subdivision of property and proposed adjacent new construction



| WALL CONSTRUCTION TYPES | |
|-------------------------|---|
| | EXISTING EXTERIOR WALL EXISTING CONSTRUCTION TYPED 2" X 4" BATT INSULATION FOR NEW 8 MIL POLY-ETHYLENE SHEET 1/2" GYP. BOARD |
| | EXISTING FOUNDATION EXISTING CONSTRUCTION TYPED |
| | NEW FOUNDATION REFER TO STRUCTURAL DRAWINGS |
| | NEW EXTERIOR WALL 4" STONE VENUE OR BRICK PER ELEVATIONS TIED BACK TO FRAME WALL WITH MASONRY TIES @ 24" O.C. MAX VERT AND 12" O.C. MAX HORIZ. KEEP FLATS AT 8" O.C. MAX. 1" AIRSPACE TYVED AIR MOISTURE BARRIER ADHESIVE LAPPED 4" MIN. 12" X 16" WOOD BRACKETING 2X4 WOOD STUDS AT 24" O.C. SMALL BRICK PLATES AT BOTTOM DOUBLE MICROSLAM PLATE AT TOP 2" X 4" BATT INSULATION (R13) 8 MIL POLY-ETHYLENE SHEET 1/2" GYP. BOARD |
| | NEW INTERIOR BRICK WALL 12" X 8" BRICK PER ELEVATIONS TIED BACK TO FRAME WALL WITH MASONRY TIES @ 24" O.C. MAX VERT AND 12" O.C. MAX HORIZ. KEEP FLATS AT 8" O.C. MAX. 1" AIRSPACE TYVED AIR MOISTURE BARRIER ADHESIVE LAPPED 4" MIN. 12" X 16" WOOD BRACKETING 2X4 WOOD STUDS AT 24" O.C. SMALL BRICK PLATES AT BOTTOM DOUBLE MICROSLAM PLATE AT TOP 2" X 4" BATT INSULATION (R13) 8 MIL POLY-ETHYLENE SHEET 1/2" GYP. BOARD |

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North

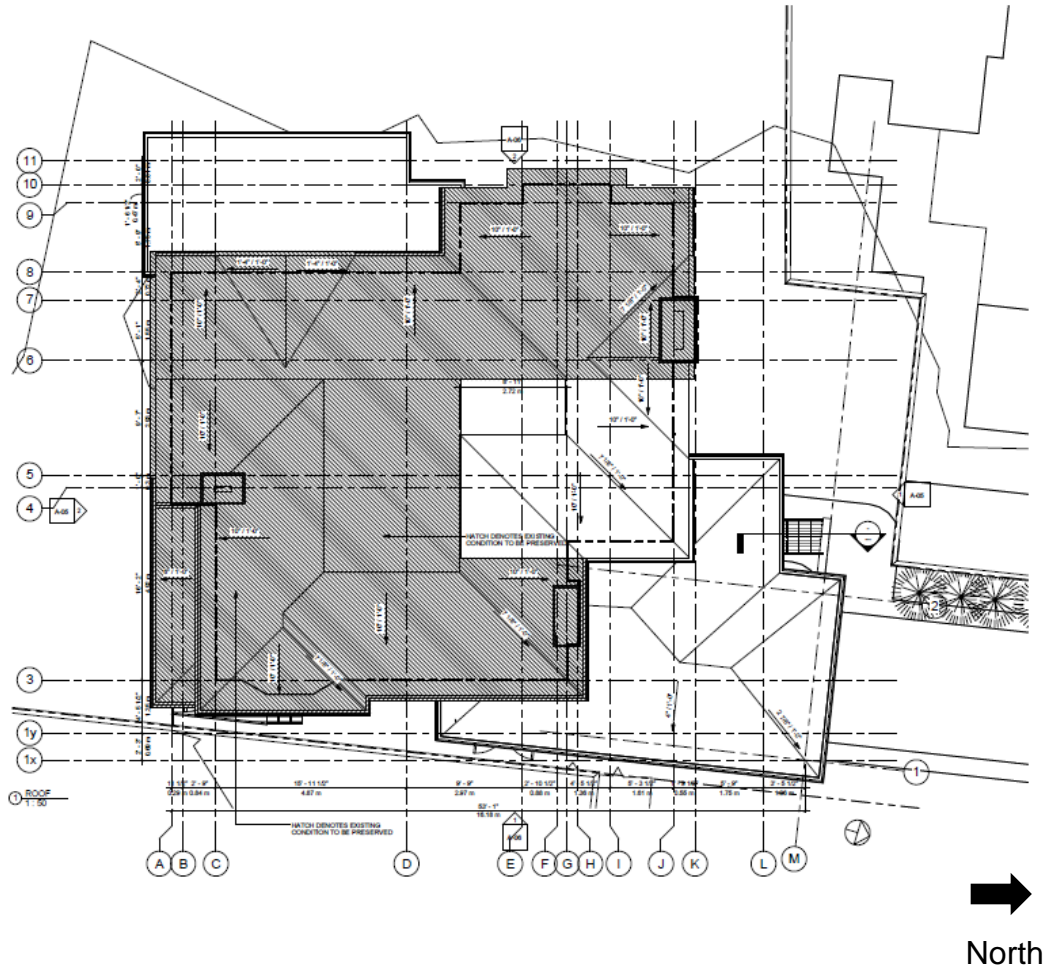
Proposed ground floor plan



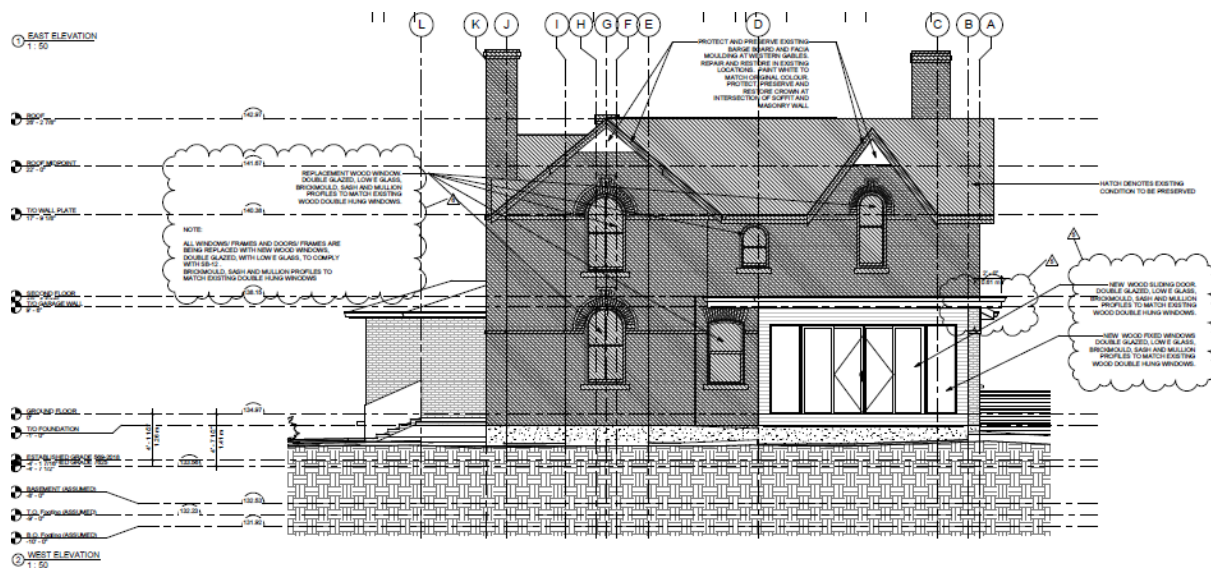
| WALL CONSTRUCTION TYPES | |
|-------------------------|---|
| | EXISTING EXTERIOR WALL EXISTING CONSTRUCTION T&G 5/8" BATT INSULATION (R=10.0) 6 MIL POLY AIR BARRIER (R=0) 1/2" GYPSUM BOARD |
| | EXISTING FOUNDATION EXISTING CONSTRUCTION T&G |
| | NEW FOUNDATION REFER TO STRUCTURAL DRAWINGS |
| | NEW EXTERIOR WALL 4" STONE LINER ON BRICK PER ELEVATIONS TIED BACK TO FINISH WALL WITH WOODKIT TIES @ 24" O.C. MAX. VERT. AND 1/2" BATT INSULATION (R=10.0) MAX. HORIZ. WEEP HOLES AT 2" O.C. MAX. 2" FIBERGLASS INSULATION 2X4 WOOD STUDS AT 16" O.C. BRICK END-CAM PLATE AT BOTTOM DOUBLE MICROUM JULIE AT TOP 2" BATT INSULATION (R=10) 6 MIL POLY AIR BARRIER SPRINKLING |
| | NEW LONGBOARD STONE WALL LONGBOARD STONE 4" F. GROOVE 1/2" GYPSUM BOARD 2X4 WOOD STUDS AT 16" O.C. BRICK PLATE AT BOTTOM DOUBLE PLATE AT TOP 5/8" BATT INSULATION (R=10) 6 MIL POLY AIR BARRIER 1/2" DRYWALL |



Proposed second floor plan



Proposed roof plan



Proposed west elevation



Proposed east elevation



Proposed south elevation



Proposed north elevation



Rendering facing southeast and showing the proposed north and west elevations

ATTACHMENT 4: STATEMENT OF SIGNIFICANCE
City of Toronto By-law 75-2018

STATEMENT OF SIGNIFICANCE: 1299 DON MILLS ROAD
(REASONS FOR DESIGNATION)

George Gray House

The property at 1299 Don Mills Road is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets on the provincial criteria for municipal designation under the three categories of design, associative and contextual values. The property was listed by the former City of North York and included in the city-wide City of Toronto Inventory of Heritage Properties (now known as the Heritage Register) following amalgamation in 1998.

Description

Located on the east side of Don Mills Road, north of Lawrence Avenue East in Don Mills, the George Gray House is a 1½-storey house form building. Archival records indicate that the farm house was in place prior to March 1894 when it was first occupied by a member of one of the founding families of Don Mills.

Statement of Significance

The property at 1299 Don Mills Road has cultural heritage value for the design of the George Gray House as a rare surviving late 19th century farm house in its original location in Don Mills that has been identified as one of the few remaining heritage buildings from its era in North York. The George Gray House is a variation of the prototypical Ontario House mixing Gothic Revival and Italianate features, which is particularly distinguished by its low-scale L-shaped plan, the varied fenestration and the wood detailing in the gables, as well as its setting on Don Mills Road.

The associative value of the George Gray House is derived from its links to a prominent pioneering family in Don Mills. As the youngest son of William Gray, one of the original settlers of the area who was also instrumental in extending Don Mills Road through the community, George Gray was a miller at Gray's Mill until he and his elder brother inherited their father's properties. Afterward, George Gray operated a farm on the land adjoining Gray's Mill where he commissioned the historic farm house and resided with his family until 1920.

The property at 1299 Don Mills Road is also valued for its role in communicating the story of Don Mills, which began as a milling and farming community where George Gray's father, William built and operated the first grist (flour) mill on the Middle Don River. In 1920, George's farm lot and farm house were acquired by mining magnate David Dunlap and his wife, Jessie Donald Bell, who had previously transformed the neighbouring Gray's Mill property into a country estate and model dairy farm named Donald Farm. Following the Second World War, entrepreneur Edmund Plunkett (E. P.) Taylor absorbed the property at 1299 Don Mills Road as part of his planned community of Don Mills where the George Gray House stands as a reminder of the origins and evolution of the area.

Contextually, the George Gray House is historically, visually and physically linked to its surroundings on Don Mills Road where it remains the only surviving farm house in its original location on the street and a local landmark in the Don Mills community.

Heritage Attributes

The heritage attributes of the building known historically as the George Gray House on the property at 1299 Don Mills Road are:

- The scale, form and massing of the 1½-storey house form building with the L-shaped plan
- The placement, setback and orientation of the building with the principal elevation facing west toward Don Mills Road
- The materials, with the stone foundation, the brick cladding, and the brick and wood detailing
- The cross-gable roof with the extended eaves, the brick chimneys (which have been modified over time), and the gables (west) where the wood detailing features sunburst designs
- On the principal (west) elevation, the placement of the main entrance on the long wall near the intersection of the L-wing, the L-wing with the frontispiece, the round-arched window openings, and the window detailing that extends as string courses across the wall
- On the side elevations (north and south) of the house, the symmetrical-arched window openings with the window detailing that is extended as string courses across the walls
- The east wing, which displays red brick cladding, symmetrical-arched window openings and, on the rear (east wall), an oriel window
- The setting of the farm house with landscaped open space and trees adjoining Don Mills Road (west) and Legato Court (north)

The single-storey rear (east) additions to the George Gray House are not included as heritage attributes.