

**REPORT NO. 34 of the  
ECONOMIC DEVELOPMENT  
STANDING COMMITTEE**  
of its meeting held July 4, 2012

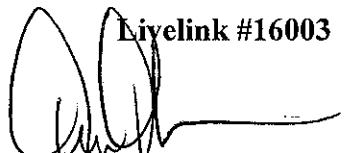
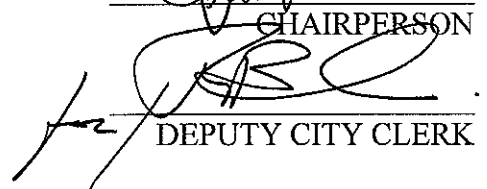
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**Present:**                           **Councillor Dilkens, Chair**  
  **Councillor Marra**  
  **Councillor Payne**  
  **Councillor Sleiman**  
  **Councillor Valentinis**

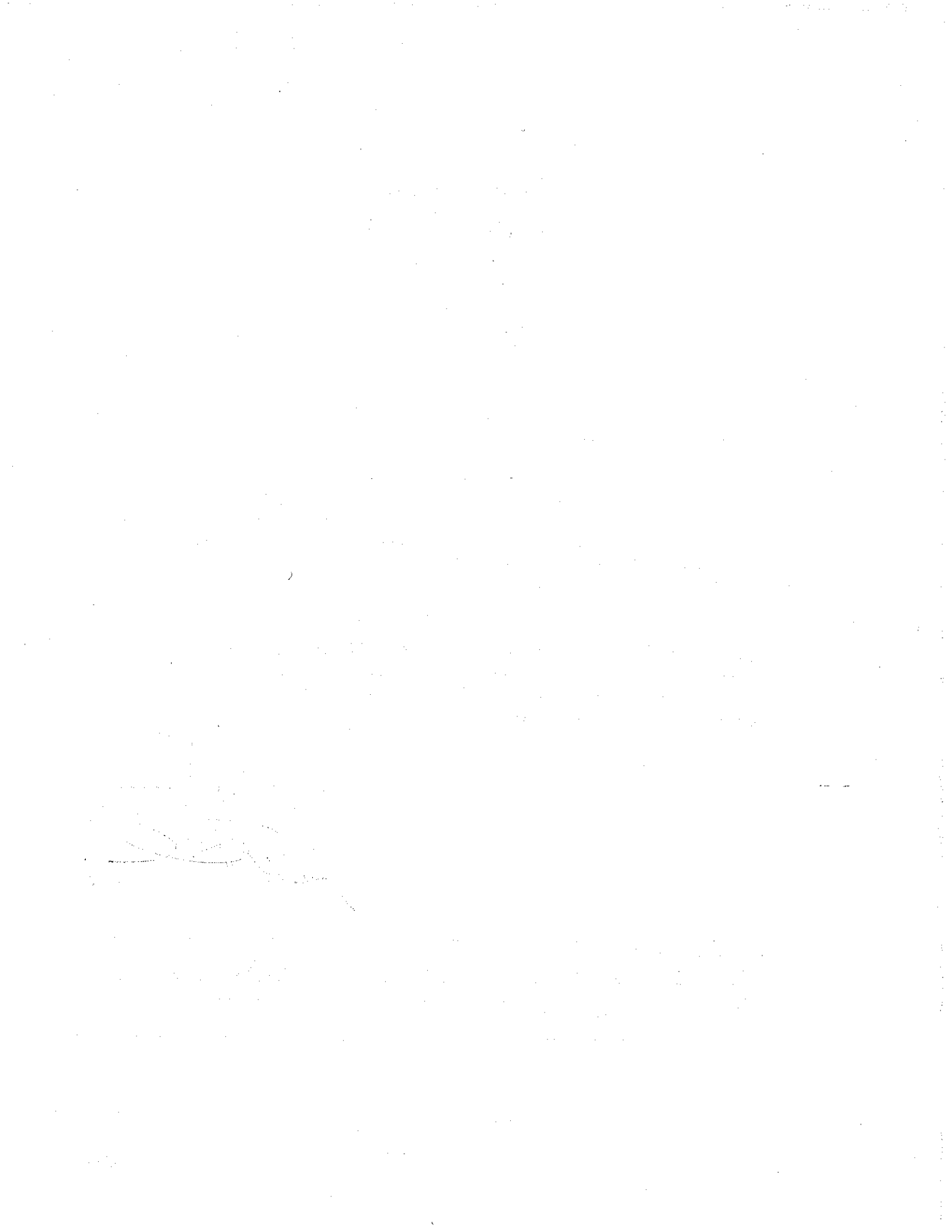
That the following recommendation of the Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Payne, seconded by Councillor Sleiman,  
**THAT** the designation of the Low-Martin House/Devonshire Lodge, 2021 Ontario Street **BE AMENDED** to remove the interior features and to maintain the exterior features that contribute to the architectural, historic and contextual value of the Low Martin house.  
Carried.

Clerk's Note: The revised report of the Heritage Planner dated June 20, 2012 entitled "Low-Martin House/Devonshire Lodge, 2021 Ontario Street, Amend Designation to Remove Interior Features" and Report No. 306 of the Windsor Heritage Committee are **attached** as background information.

  
Livelink #16003  
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CHAIRPERSON  
  
\_\_\_\_\_  
DEPUTY CITY CLERK

<b>NOTIFICATION</b>				
<b>NAME</b>	<b>ADDRESS</b>	<b>EMAIL</b>	<b>TELEPHONE</b>	<b>FAX</b>
WHC members		on-file		
Vern Myslichuk	3275 Odessa Drive, Tecumseh, ON N8N 2M1			



# ECONOMIC DEVELOPMENT STANDING COMMITTEE

REPORT NO. 306

of the

Windsor Heritage Committee

at its meeting held

June 13, 2012

5:30 o'clock p.m.

Meeting Room 407, 400 City Hall Square East

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## Members Present at June 13, 2012 meeting:

Robin Easterbrook, Chair  
Councillor Fulvio Valentinis  
Lynn Baker  
Simon Chamely  
Andrew Foot  
Jeffrey Mellow

Your Committee submits the following recommendation:

Moved by S. Chamely, seconded by Councillor Valentinis,  
That the designation of the Low-Martin House/Devonshire Lodge, 2021 Ontario Street **BE AMENDED** to remove the interior features and to maintain the exterior features that contribute to the architectural, historic and contextual value of the Low Martin house.

Carried.

**Note:** The "revised" report of the Heritage Planner dated June 18, 2012 entitled "Low-Martin House/Devonshire Lodge, 2021 Ontario Street Amend Designation to Remove Interior Features" – attached.

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CHAIR

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(A) COMMITTEE COORDINATOR

## Notification

Name	Address	E-mail
Windsor Heritage Committee including resource		
Vern Myslichuk	3275 Odessa Drive Tecumseh, ON N8N 2M1	

**THE CORPORATION OF THE CITY OF WINDSOR**  
**Planning Department**

**MISSION STATEMENT:**

*"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"*

<b>LiveLink REPORT #:</b> 16003	<b>Report Date:</b> June 6, 2012 <b>Revised:</b> June 20, 2012
<b>Author's Name:</b> John R. Calhoun	<b>Date to WHC:</b> June 13, 2012
<b>Author's Phone:</b> 519 255-6543 x 6179	<b>Classification #:</b>
<b>Author's Email:</b> jcalhoun@city.windsor.on.ca	

**To:** Windsor Heritage Committee

**Subject:** Low-Martin House / Devonshire Lodge, 2021 Ontario Street  
 Amend Designation to Remove Interior Features

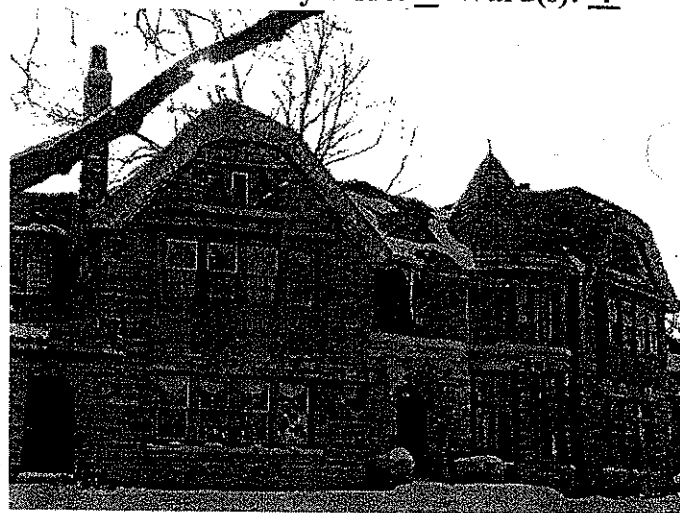
PD#

City Wide: \_ Ward(s): 4

**1. RECOMMENDATION:**

That the "Reasons for Designation" in the heritage designation by-law **BE AMENDED** as follows:

- A. Delete the paragraph, "The interior boasts a magnificent spiral oak staircase between the first and second floors, 'drip' plaster ceilings, oak parquet floors, walnut wall panels, and a cloister with 20 foot ceilings and 16 feet of windows of beveled leaded glass."
- B. Add the phrase to the list of exterior features, "curved glass in windows under the conical roof."
- C. Make minor editing changes. (Proposed text in Appendix B)



**EXECUTIVE SUMMARY:**

N/A

**2. BACKGROUND:**

In late 2011, the owner of this property since 2008 listed it for sale. In March and April 2012, the prospective owner and realtors for both buyer and seller worked with the heritage planner to develop items I and II, above. The understanding was that the proposals would be considered by

the Windsor Heritage Committee and Council, but with no guarantee of approval. The transfer of ownership closed in late April.

For many years, this property was listed on the "Windsor Heritage Properties Inventory", used as a planning tool to flag properties with cultural heritage value which were not designated. In August 2007, this property was included on the Council-approved first official heritage register of non-designated properties.

In October 2007 the Windsor Heritage Committee recommended heritage designation, under provisions of Part IV of the Ontario Heritage Act, and over the objections of the owner. Council passed the designation in April 2008. (The current Reasons for Designation is attached as Appendix A.)

In May 2008, the Committee recommended approval to change the roof from asphalt to cedar shingles similar to the original, and for a grant of \$52,274 from the Community Heritage Fund to the new owner for half the difference in cost between the two materials. Council approved these items in June 2008. That work was completed by mid-2010; the owner signed a heritage conservation easement and the grant was paid.



### 3. DISCUSSION:

#### **Proposal:**

The recommendation amends the heritage designation to remove all interior features, and to clarify the window design for the rounded room next to the entry. On June 13, 2012, the Windsor Heritage Committee reviewed a proposal to limit the applicability of the interior review to principal first-floor rooms, and to permit removal of the parquet floor which was determined to be non-historic. The Committee approved a different recommendation, to delete the inside items. It was understood that exterior features implied in the paragraph to be removed would be retained; thus the phrase about the windows in the "cloister" (presumed to be the cone-topped room) has been inserted. Editorial changes are not substantive, but include

Canadian spelling throughout, inserting metric areas, and removing abbreviations.

#### **Legal provisions:**

The Ontario Heritage Act (27.(1.1)(c)) includes the requirement for "a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property". It does not specify which parts of a property must be included. However, changes to the property that affect the included features are subject to review by the Windsor Heritage Committee and approval by Council.

Ontario Regulation 9/06 provides criteria for designation under the Ontario Heritage Act. Part 1.(2) of the regulation is underlined for emphasis:

"A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or
  - iii. demonstrates a high degree of technical or scientific achievement.
  
2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
  
3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or
  - iii. is a landmark."

#### **Architectural Considerations:**

The interior of this home includes significant features, as included in the paragraph of the by-law proposed for deletion. However, the Committee has stated a preference to avoid regulation of interiors when private homes are designated.

The same paragraph includes the phrase "a cloister with 20 foot ceilings and 16 feet of windows of beveled leaded glass." No room is clearly identifiable as a "cloister", but it is interpreted to be the two-storey-tall round room under the conical roof, next to the entry. Its windows are not leaded or bevelled, but they feature curved glass. This unusual feature will clearly become protected with the proposed amendment.

#### **Official Plan Policy:**

The Windsor Official Plan includes protection (9.3.4.1.). "Council will protect heritage resources by: (c) requiring that, prior to approval of any alteration, partial demolition, removal or change in use of a designated heritage property, the applicant demonstrate that the proposal will not adversely impact the heritage significance of the property ..." Also (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:**

In practice, City review of features not visible to the street is subject to the owner's willingness to follow by-laws. As proposed, the owner (current or future) would have no restriction on removal of interior items that do not affect the appearance of the exterior.

**5. FINANCIAL MATTERS:**

This proposal reduces the City time to regulate spaces not visible to the public, including viewing, reporting, voting, and follow-up. The Community Heritage Fund will not be available for sharing the cost of repairs for these features.

**6. CONSULTATIONS:**

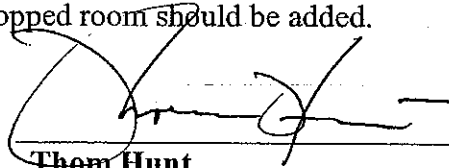
During negotiations for the sale, the Heritage Planner met with the realtors, heritage home designer, and the prospective (now current) owner, to develop the statements of the proposal to the Committee.

**7. CONCLUSION:**

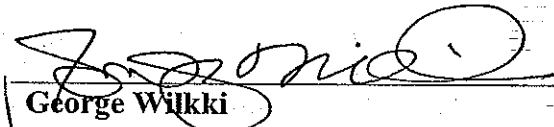
The heritage designation by-law should be amended to remove consideration of interior features; a statement regarding the windows in the cone-topped room should be added.



**John R. Calhoun**  
Heritage Planner



**Thom Hunt**  
City Planner / Executive Director



**George Wilkki**  
City Solicitor and Corporate Leader  
Economic Development and Public Safety

JC/mf

**APPENDICES:** A: Schedule "B", Reasons for Designation, from by-law  
B: Proposed by-law Reasons for Designation

**DEPARTMENTS/OTHERS CONSULTED:**  
Name: Wira Vendrasco, Deputy City Solicitor  
Phone #: 519-255-6100 x 6375

**NOTIFICATION:**

Name	Address	Email Address	Telephone	Fax
Mr. Vern Myslichuk	3275 Odessa Dr Tecumseh ON N8N 2M1	bettermade @bellnet.ca		

## Appendix A:

From By-Law No. 58-2008, passed by Council April 14, 2008  
2021 Ontario Street (Low-Martin House / Devonshire Lodge)

### SCHEDULE "B"

#### **Reasons for Designation:**

#### **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.

#### **Heritage Value**

##### **Historic Value**

The Low-Martin house was built in 1928 for Harry Low, a toolmaker 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 becoming Prime Minister on December 8, 2003.

##### **Architectural Value**

It is likely that builder George Lawton designed and built the 4,000 square-foot main house and a 1,700 square foot 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 and Devonshire Rd. Its convex façade 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.

The interior boasts a magnificent spiral oak staircase between the first and second floors, "drip" plaster ceilings, oak parquet floors, walnut wall panels, and a cloister with 20 foot ceilings and 16 feet of windows of beveled leaded glass.

### **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 Honorable Paul Martin and his wife Nell (parents of former Prime Minister Paul Martin Jr.) who owned the house for some 34 years (1961-1995).
- Its association with well know Liberal party politicians who were guests to the house - including Prime Ministers Lester B. Pearson and Pierre 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 know 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, and oriel windows with leaded beveled glass.
- Its recessed arched stone main entrance with ornate arched wooden door.
- Its leaded beveled 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 SE corner of Devonshire Road and Ontario Street, with garage/servant's quarters behind.

## Appendix B: Proposed by-law Reasons for Designation

Low-Martin House / Devonshire Lodge, 2021 Ontario Street

### 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 toolmaker 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 m<sup>2</sup>) main house and a 1,700 square-foot (160 m<sup>2</sup>) 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 façade 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.
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