



**KINGSTON MUNICIPAL HERITAGE COMMITTEE (L.A.C.A.C.)
MINUTES
MEETING No. 2009-01
held Monday 01 December 2008 at 12:00 noon*
in the Councillors' Lounge, City Hall**

MEMBERS PRESENT

Mr. Peter Gower, Chair
Mr. R. Bruce Downey, Vice-Chair
Councillor Bill Glover
Mr. David Ariss
Mr. Anthony Barlow
Mr. Robert Cardwell
Mr. John Duerkop
Mr. Craig Sims
Ms. Christine Sypnowich

STAFF PRESENT

Mr. Jason Budd, Senior Planner
Ms. Carolyn Downs, City Clerk
Ms. Lindsay Lambert, Planner
Mr. Marcus Letourneau, Heritage Planner
Mr. Brian McCurdy, Cultural Director
Ms. Susan Powley, Committee Clerk

OTHERS PRESENT

REGRETS

Mr. Michael Gemmell

THIS IS NOT A VERBATIM REPORT

MEETING TO ORDER:

Ms. Susan Powley, Committee Clerk, called the meeting to order.

ELECTION OF OFFICERS:

Ms. Powley asked for nominations for Chair.

Chair

*Moved by Mr. Sims
Seconded by Mr. Cardwell*

THAT *Mr. Peter Gower be nominated Chair of the Kingston Municipal Heritage Committee.*

CARRIED

Mr. Gower accepted the nomination.

*Moved by Councillor Glover
Seconded by Mr. Duerkop*

THAT nominations be closed and that Mr. Peter Gower be declared Chair of the Kingston Municipal Heritage Committee.

CARRIED

Vice-Chair

Mr. Gower asked for nominations for Vice-Chair.

*Moved by Mr. Duerkop
Seconded by Mr. Cardwell*

THAT Mr. Bruce Downey be nominated Vice-Chair of the Kingston Municipal Heritage Committee.

CARRIED

Mr. Downey accepted the nomination.

*Moved by Councillor Glover
Seconded by Mr. Cardwell*

THAT nominations be closed and that Mr. Bruce Downey be declared Vice-Chair of the Kingston Municipal Heritage Committee.

CARRIED

RECOGNITION:

WELCOME and INTRODUCTIONS:

Mr. Gower welcomed Mr. Brian McCurdy, Cultural Director, to the meeting. Mr. McCurdy advised that within the new organization, the Cultural Services Department will report to Ms. Cynthia Beach, Commissioner, Sustainability & Growth.

POSSIBLE PECUNIARY INTEREST:

Mr. Bruce Downey declared a possible pecuniary interest for Application P18-456-086-2008 for a property located at 12 Drummond Street, Barriefield Village, Application P18-439-087-2008 for a property located at 413 Regent Street, Barriefield Village, and Application P18-271-089-2008(EA) for a property located at 200 Ontario Street as his firm is involved in the projects.

Mr. Craig Sims declared a possible pecuniary interest for Application P18-271-089-2008(EA) for a property located at 200 Ontario Street as he was involved with the project.

CONFIRMATION OF AGENDA:

*Moved by Mr. Downey
Seconded by Mr. Sims*

THAT the agenda be confirmed as amended to add:

- 9 North Street
- New Heritage Positions

and to delete:

- *Delegation by Mr. Dave Dorsett - regarding Application P18-398-093-2008 for a property located at 308 Wellington Street.*

CARRIED

CONFIRMATION OF MINUTES:

*Moved by Ms. Sypnowich
Seconded by Mr. Arris*

THAT *the minutes of the Kingston Municipal Heritage Committee Meeting No. 2008-12 held on 03rd November 2008 be confirmed.*

CARRIED

UPDATES:

A. Culture Services Department

Mr. Marcus Letourneau, Heritage Planner and Ms. Lindsay Lambert, Planner provided updates.

a) Working Groups:

- i.* Historic Properties Research Working Group
(David Ariss)
- ii.* Communication and Education Working Group
(John Duerkop)

Mr. Duerkop reported that one walking tour has been submitted to the Communications Department, and three others are forthcoming.

Mr. Duerkop also noted that policies for plaques are being developed.

- iii.* Interior of City Hall Working Group
(Tony Barlow, Bob Cardwell, John Duerkop, Michael Gemmell)

Ms. Lambert said that a draft document was provided to working group members on 20th November and there have been no further comments. Staff are coordinating a final site visit with the Supervisor, Facilities Management.

- iv.* Exterior Coverings Working Group
(Michael Gemmell, Christine Sypnowich)

Ms. Lambert advised that a draft exterior coverings document is forthcoming. A reminder email will be sent out.

- v.* Accessibility and Heritage Working Group
(Peter Gower, Bruce Downey)

Ms. Lambert reported that with the return of the Accessibility Coordinator, discussions will resume regarding accessibility matters in Barriefield Village.

It was noted that members have walked the village, identified specific areas of concern, and have continued to gather information regarding the installation of sidewalks.

b) Delegated Authority:

- i.* Application P18-647-090-2008(DA) for a property located at 112 Montreal Street regarding the replacement of roof shingles with black 3 tab shingles made from organic felt surfaced with mineral granules

c) Technical Circulations:

d) Preliminary considerations for Designation:

e) Site Visits:

- i.* Application P18-060-082-2008 for a property located at 80 Barrie Street requesting approval for the replacement of 67 windows

Mr. Downey provided an overview of a site visit by members further to an application made at the November meeting. The applicant was present for the visit. Mr. Downey noted that the windows are in good shape and that weatherstripping and counterbalances are in place. Some windows have storms. He noted that it was determined that there is no rotted wood and there is no need for replacement of the windows. Some adjustments could be made to weatherstripping, and additional glazing to the sashes. Storm windows would improve heating and weather stopping ability.

It was noted that the observations should be clear for any subsequent owner, so that in the future the windows are retrofitted and not replaced.

Correspondence was directed from the committee to the owner to formally advise of the findings.

f) Ongoing Grant Applications:

g) Other:

Consultation - Delegated Authority Policy

Ms. Lambert advised that there will be a possible update to the Delegated Authority Policy. She will send a copy of the policy to members and requested that comments be provided by 19th December.

B. Chair Report – by Mr. Peter Gower, Chair

Stella Buck Building

Mr. Sims declared a possible pecuniary interest and left the discussion.

Mr. McCurdy advised that Queen's are prepared to make a presentation to interested parties of the City the end of January following approval of their current status through a Queen's committee. He advised that plans viewed by staff are still in preliminary stages.

Members agreed that the committee pre-consultation process would be of assistance for this project. A motion was made requesting that an invitation be extended to Queen's to request that they provide an update of the plans at the January meeting. (see 'Other Matters' on page 11)

CHO Co-Sponsorship of a Provincial Heritage and Architectural Conference

A letter requesting assistance in planning for a Provincial Heritage and Architectural conference was noted. Mr. Gower will contact the Frontenac Heritage Committee regarding this request which requires a response by the end of February. It was noted that a previous conference had been held in Kingston in

the 1990's. Mr. Letourneau said that a volunteer committee would be established who would work with the committee who were involved in planning the previous event.

November Meeting with Staff

Mr. Gower highlighted discussions with staff at a November meeting which pertained to the location of the meetings, time of day, distributions, processes for grants.

BRIEFINGS:

DELEGATIONS:

Mr. Dave Dorsett – regarding Application P18-398-093-2008 for a property located at 308 Wellington Street.

Mr. Dorsett sent his regrets and this delegation was withdrawn from the agenda.

BUSINESS:

A. Reports

- a) **12 Drummond Street (Barriefield)** - P18-456-086-2008 – Application for approval under the *Ontario Heritage Act*
413 Regent Street (Barriefield) - P18-439-087-2008 - Application for approval under the *Ontario Heritage Act*

Schedule Pages 1-41.

The Report of the Commissioner, Community Development Services Group (09-001) was attached.

This report was considered during a review of the applications (see Business B. i, ii)

B. Heritage Permit Applications Requesting Approval

- i. Delegation regarding Application P18-456-086-2008 for a property located at 12 Drummond Street, Barriefield Village requesting approval for the new construction of a dwelling on the same footprint as the demolished dwelling and construction of a new rear addition as described within submissions filed 15th September and 15th October 2008 and deemed complete by the Cultural Services Department 20th October 2008.

Large drawings were distributed separately.

The Report of the Commissioner of Community Development Services Group (09-001) was attached as Schedule pages 1-41.

Mr. Downey declared a possible pecuniary interest and abstained from the discussion.

Present for the discussion were Ms. Joanne Leiliunas, Mr. Ernie Leiliunas and Ms. Fran Street, owners of the property at 14 Drummond Street.

Mr. Gower invited Mr. Downey, agent for the owner, to present the application.

Mr. Downey provided a history of the application and that approval for this building had been granted previously by the Committee. He noted that difficulties arose further to a directive by the Building Department and direction by the owner. The owner ceased construction on his own initiative and months have passed. He noted that this report is the first information that the Committee and himself have received to provide insight into what staff are thinking.

Mr. Downey noted a previous meeting attended by Building staff where it was confirmed that the matter could move forward. He said Planning staff were also ready to proceed and he resubmitted plans with the understanding that a discussion would be required by the owner with neighbours at 14 Drummond Street regarding the roof and that this would be considered a separate issue.

Mr. Downey referenced the report and noted that staff have indicated that the building doesn't fit in with the district and that an archaeological assessment is required. He also noted that the owner would like to have the carriageway reinstated. He indicated that the staff report establishes a position which is different from committee and staff views, and which provides no opportunity to discuss or review how the matter proceeds. He reiterated that nothing has changed on the drawings except what has been requested by the City. He expressed concern with the impact of these decisions on Heritage processes, and noted the extensive work and studies that are now required.

Mr. Letourneau advised that the recommendation within the report doesn't reflect the recommendation of the Committee as staff received an instruction to treat this as a new application. Ms. Lambert added that staff offered a professional planning opinion for the proposals. She noted correspondence provided to Mr. Gray dated 06th August (page 56 of the agenda) which indicated that a new application was required and would be evaluated by staff under the policies of the Barriefield Village District Plan.

Members expressed concern regarding procedures which were difficult to understand. Concern was also expressed regarding roofline information noted within the report. Members noted that the roofline was considered in accordance with principles for infilling which speak of their own time, with respect to scale, and with consideration of this structure as a new building. Ms. Lambert clarified that remarks regarding the roofline were not meant to speak to height but rather design.

Mr. Gower summarized that the Committee continue to have no concerns regarding the drawings. With respect to the roof, Mr. Downey said that the owner would like to have the extended roof, but that neighbours were not in favour of reinstating it. Members noted that approval for the roof could only be for half the roof.

Mr. Downey expressed concern that the recommendation for an Approval in Principle continues to delay the process.

Ms. Leiliunas, owner at 14 Drummond Street said that the roof had originally been approved for a heating purpose, but now that the building is gone, the owner does not have a right to reinstate the roof. Mr. Gower noted that the report indicates that the roof should be there. Mr. Letourneau clarified that the roof was included in an Approval in Principle so no final decision would be made on roof; if designs needed to be modified, a new design could come back to the committee following discussions.

Ms. Lambert noted that Section 12D is defined as a 1-storey frame addition. Streetscape value was noted as being highly prominent, and thus the recommendation was based on professional Heritage planning opinions. She further advised that staff would not alter the recommendation based on the view of the owners at 14 Drummond Street.

Ms. Lambert explained the requirement for an archaeological assessment which was determined by using a provincial checklist endorsed by Council for use for Planning Act and Heritage applications. She added that if the assessment hadn't been stipulated at this point, it would be required for future Planning Act applications.

Mr. Downey noted that a permit had been issued for the property. He recognized that the roof cannot be extended to 14 Drummond Street, and this aspect will be redesigned. It was noted that if there is difficulty with the design, this aspect of the drawings could be brought back before the Committee.

*Moved by Councillor Glover
Seconded by Mr. Sims*

WHEREAS the recommendations of staff within Report KMH-09-001 cannot be accepted as:
a) the Heritage Committee on 04th September 2007 had previously determined the roof line and exterior treatment for a property located at 12 Drummond Street were compatible with Barriefield Heritage Conservation District Plan, and
b) the owner of 14 Drummond Street refuses to accept the extension of a carriageway roof,

THEREFORE BE IT RESOLVED THAT Application P18-456-086-2008 for 12 Drummond Street, Barriefield Village as revised (drawing SP-1 dated 04th November 2008), submitted to the Kingston Municipal Heritage Committee for 01st December 2008 **BE APPROVED** with the exception that the roof not extend beyond the property line between 12 Drummond Street and 14 Drummond Street, and that the roof design be resubmitted for approval,

- and further -

THAT as the subject property demonstrates archaeological potential, the proponent undertake a Stage One Archaeological Assessment of the entire property, thereby obtaining the necessary professional opinion as to whether the site of the addition and the demolished structure is disturbed (both extensively and intensively) and addressing the need for any further archaeological requirements to ensure the conservation of potential archaeological resources prior to any construction occurring on the property,

- and further -

THAT the owner be advised of the comments of Engineering Services, Utilities Kingston and Ontario Hydro relating to a plot plan, right-of-way agreement, relocation or upgrade of existing utilities services and electrical service layout as noted within comments provided by the Planner dated 26th November 2008.

CARRIED

- ii. Delegation regarding Application P18-439-087-2008 for a property located at 413 Regent Street, Barriefield Village requesting approval for a 3-6 inch encroachment (noted to be the result of an overhang) resulting from new construction on the neighbouring property to the north (12 Drummond Street) as described within a submission filed 15th October 2008 and deemed complete by the Cultural Services Department 20th October 2008.

Schedule Pages 74-84.
Large drawings distributed separately.

The Report of the Commissioner of Community Development Services Group (09-001) was attached as Schedule pages 1-41.

Mr. Downey declared a possible pecuniary interest and abstained from the discussion.

Mr. Downey advised that the survey didn't indicate the 3-5" encroachment; however, the owner had provided this information, and has no concerns.

*Moved by Mr. Cardwell
Seconded by Mr. Barlow*

THAT Application P18-439-087-2008 for a property located at 413 Regent Street, Barriefield Village requesting approval for a 3-6 inch encroachment (noted to be the result of an overhang) resulting from new construction on the neighbouring property to the north (12 Drummond Street) **BE APPROVED** as described within a submission filed 15th October 2008 and deemed complete by the Cultural Services Department 20th October 2008.

CARRIED

Mr. Downey returned to the discussion.

- iii. Delegation regarding Application P18-437-091-2008 for a property located at 412 Regent Street, Barriefield Village requesting approval to renovate an existing accessory structure with increased height, altered roofline and foundation as described within a submission filed 14th November 2008 and deemed complete by the Cultural Services Department 17th November 2008.

Schedule Pages 85-125.

Mr. McCoy, owner of the property was present. He advised of the property standards process that had led him to the Committee in regard to this original barn.

Members offered to conduct a site visit to the property. Mr. McCoy confirmed his permission. Ms. Lambert advised that a formal recommendation will be provided to the Committee in January.

Councillor Glover requested that the Manager, Building and Licensing also be invited to attend the site visit.

*Moved by Mr. Downey
Seconded by Mr. Sims*

THAT Application P18-437-091-2008 for a property located at 412 Regent Street, Barriefield Village requesting approval to renovate an existing accessory structure with increased height, altered roofline and foundation as described within a submission filed 14th November 2008 and deemed complete by the Cultural Services Department 17th November 2008 be received, and that a decision be deferred to the January meeting pending a site visit in December 2008.

CARRIED

- iv. Delegation regarding Application P18-398-093-2008 for a property located at 308 Wellington Street also known as the Bajus Brewery requesting approval for a barrier free access ramp to the side entrance, addition of new light to existing wood lintel over side entrance and the addition of new hardware to the existing door as described within a submission filed 17th November 2008 and deemed complete by the Cultural Services Department 17th November 2008.

Schedule Pages 126-135.

Large drawings were distributed separately.

Mr. Sherman Hill was present to represent the owner and noted an additional request to increase the depth of the ramp so it would be straight and adjacent to the wall. Mr. Pat Powers was also present and noted the location of the property line for Rideau Terrace. Mr. Hill provided two lamp samples and members noted a preference for the Canadian made lamp.

Members asked questions regarding guardrails, handrails, hardware, lamps and accessibility. It was agreed that Mr. Hill would submit revised drawings to the Committee Clerk for committee review as soon as possible.

*Moved by Mr. Cardwell
Seconded by Mr. Barlow*

THAT Application P18-396-093-2008 for a property located at 308 Wellington Street also known as the Bajus Brewery requesting approval for a barrier free access ramp to the side entrance, addition of new light to existing wood lintel over side entrance and the addition of new hardware to the existing door **BE APPROVED** as described within a submission filed 17th November 2008 and deemed complete by the Cultural Services Department 17th November 2008, and with the understanding that revised drawings noting discussed changes regarding the ramp, guardrails, lights and hardware will be provided to the Committee.

CARRIED

C. Heritage Permit Applications for Emergency Works requiring Reaffirmation

- i.* Discussion regarding Application P18-271-089-2008(EA) for a property located at 200 Ontario Street requesting approval to widen the fire escape landing on the Clarence Street side to permit the exit door to open fully as described within a submission filed 23rd October 2008.

Schedule Pages 136-140.

Mr. Downey and Mr. Sims declared possible pecuniary interests and abstained from the discussion.

*Moved by Councillor Glover
Seconded by Mr. Barlow*

***THAT** Application P18-271-089-2008(EA) for a property located at 200 Ontario Street which received an Emergency Approval to widen the fire escape landing on the Clarence Street side to permit the exit door to open fully **BE REAFFIRMED** in accordance with a submission filed 23rd October 2008.*

CARRIED

Mr. Downey and Mr. Sims returned to the discussion.

D. Pre- Consultation Requests

- i.* Delegation regarding Request PRE-KMHC-012 for a property located at 44 Earl Street requesting advice regarding proposed landscaping redesign, renovation/repair to fenestration, roof, chimney, rear attached shed.

Schedule Pages 141-149.

Mr. Finley, owner, was present for the discussion. Mr. Finley provided an overview of the history and alterations of the property which is also attached to 212 King Street and 46 Earl Street. He outlined proposed changes to the windows and the elimination of a blank upper section of wall. A copy of the presentation is attached to the record.

A discussion took place regarding the proposed work noted on page 142 of the agenda which includes structural, roof, chimney, shed, rear area and front area landscaping work, as well as fenestration on the Earl Street façade and on the rear. Ms. Lambert noted that the streetscape is referenced in the designation.

Members noted that future approvals for any changes in window sizes should include an explanation of the reasons for approval. It was noted that there have been window alterations in the past and some were later additions to the building.

Mr. Letourneau highlighted a request on page 143 of the agenda requesting a communication to the Building Department that joists can be replaced. Mr. Letourneau will provide this communication.

E. Heritage Property Grant Applications

F. Heritage Grant Applications Requesting Release of Funding

- i.* Update regarding Heritage Property Grant Application HG-006-2008 and Application P18-515-025-2008 for a property located at 948 Hwy #2 East requesting final approval for repointing an exterior stone wall.

A recommendation by the Committee on 07th April 2008 granting provisional approval for a grant was noted.

*Moved by Mr. Sims
Seconded by Mr. Cardwell*

WHEREAS the owner of 948 Hwy #2 East has requested final approval for Heritage Grant Application HG-006-2008, and
WHEREAS as per the requirements as per BY-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', a site visit to review the completed works was completed, and
THEREFORE BE IT RECOMMENDED THAT Heritage Property Grant HG-006-2008 for 948 Hwy #2 East **BE APPROVED** for repointing an exterior stone wall,
- and further -
THAT staff be authorized to issue a cheque for \$2000.00 as per the process outlined in By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program'.

CARRIED

G. Heritage Property Grant Abandoned Applications

H. Heritage Property Tax Refund Applications

J. Property Designations

Schedule Pages 150-155.

A copy of the by-law and revised Schedule 'A' were attached.

A Notice of Intent to Amend By-law 84-650 for 19-23 Queen Street was brought forward for consideration. Mr. Letourneau noted that comments received from members have been incorporated into the description.

*Moved by Mr. Downey
Seconded by Mr. Cardwell*

WHEREAS Section 30.1 of the Ontario Heritage Act, R.S.O. 1990, provides for the update of existing designation by-laws; and
WHEREAS 19-23 Queen Street is a property owned by the City of Kingston; and
WHEREAS the cultural heritage values of 19-23 Queen Street, such as those identified within the Building Conservation Master Plan which was accepted by Council on October 19, 2004, are not reflected within the existing designation by-law dated August 29, 1995; and
WHEREAS the Council of the Corporation of the City of Kingston approved on September 19, 2006 Clause 7 of Report 108 which allows for the updating of designation by-laws for City of Kingston property
THEREFORE BE IT RESOLVED THAT Council serve notice of intent to amend the by-law for 19-23 Queen Street;

- and further -

THAT the City Clerk shall cause a copy of the notice of this intent to amend this by-law to be served on the owner of the land described in Schedule 'A' as attached and the Ontario Heritage Trust.

CARRIED

K. Technical Circulations

L. Other Matters

Stella Buck Building

This item was considered under the Report of the Chair (page 4) and a motion was made.

*Moved by Mr. Downey
Seconded by Mr. Duerkop*

THAT staff be requested to invite representatives from Queen's to the 12th January 2009 meeting of the Kingston Municipal Heritage Committee to provide an update on the progress of the Stella Buck Building plans.

CARRIED

9 North Street Building

Councillor Glover referenced suggestions made at the Arts Advisory Committee for an instructional use at 9 North Street. He noted that the building is in close proximity to Rideaucrest for senior involvement and parking would be available.

Additional Heritage Positions

It was noted that new Heritage positions have been recommended within the budget process for approval by Council. These positions are for a Built Heritage Specialist and an administrative support person in the Cultural Services area, and a Heritage Building Inspector in the Department of Building & Licensing area who will focus on issues of enforcement.

Heritage Budget

Mr. Letourneau confirmed that \$5000 has been allocated for Heritage matters within the 2009 budget.

OTHER BUSINESS:

Marks House

Mr. Pat Powers, who was present at the Committee for another matter, extended his thanks to the Committee for their assistance with the renovations to the Marks House. In particular, he thanked Mr. Cardwell, Mr. Downey, and Mr. Sims for all of their help with the project.

UPCOMING EVENTS:

CORRESPONDENCE/CIRCULATIONS:

A. Reports to/from Council

Schedule Pages 156-157.

- i.* 03rd November 2008 – Heritage Report No. 12 submitted to Council for consideration on 25th November 2008.

B. Correspondence Received as Information

C. Correspondence and Memorandums Sent

Copies of the following correspondence were sent out from the Clerks' Department, and were available at the meeting for members wishing to review the full document:

Memorandum dated 03rd November 2008 from Ms. Carolyn Downs, City Clerk to:

- i.* Mr. Hal Linscott, Director & City Solicitor, Legal Services, regarding 'Certified Heritage Designation By-Laws for Registration on Title – 2551 Highway 2 East'.

DOCUMENTS:

HERITAGE LINKS:

- i.* Ontario Heritage Act: www.e-laws.gov.on.ca:81/ISYSquery/IRLC6BE.tmp/16/doc
- ii.* Ontario Heritage Connection: www.ontarioheritageconnection.org
- iii.* Provincial Policy Statement: www.mah.gov.on.ca/userfiles/HTML/nts_1_23137_1.html
- iv.* Accessibility in Museums: <http://www.culture.gov.on.ca/english/heritage/museums/munote12.htm>
- v.* General Accessibility: <http://www.mcass.gov.on.ca/NR/rdonlyres/F8C53147-3A0E-41F1-9C95-C8829DD5485C/1118/AGUIDETOANNUALACCESSIBILITYPLANNINGJan07E.pdf>

NEXT MEETING DATES:

Meetings for 2009 have been tentatively scheduled at 12:00 noon as follows:

- 12 January
- 02 February
- 02 March
- 06 April
- 04 May
- 01 June
- 06 July
- 10 August
- 14 September
- 05 October
- 02 November
- 07 December

ADJOURNMENT:

The meeting adjourned at 3:15 p.m.

