



**KINGSTON MUNICIPAL HERITAGE COMMITTEE (L.A.C.A.C.)
MINUTES
MEETING No. 2009-06
Monday 06 April 2009 at 12:00 noon*
in Council Chambers, City Hall**

MEMBERS PRESENT

Mr. Peter Gower, Chair
Mr. R. Bruce Downey, Vice-Chair
Councillor Bill Glover
Mr. David Ariss (left at 3:00 p.m.)
Mr. Robert Cardwell
Mr. John Duerkop
Mr. Michael Gemmell
Mr. Craig Sims (left at 1:30 p.m.)
Ms. Christine Sypnowich

REGRETS

Mr. Anthony Barlow

STAFF PRESENT

Ms. Cynthia Beach, Commissioner, Sustainability & Growth
Ms. Carolyn Downs, City Clerk,
Ms. Lindsay Lambert, Planner
Mr. Marcus Letourneau, Heritage Planner
Mr. Brian McCurdy, Director, Culture and Recreation
Mr. Alan McLeod, Senior Legal Counsel
Ms. Susan Powley, Committee Clerk

OTHERS PRESENT

Ms. Helen Finley
Mr. Michael Gourgon, Member, Appeals Committee
Mr. Andrew Hill, Frontenac Heritage Foundation

THIS IS NOT A VERBATIM REPORT

MEETING TO ORDER:

Mr. Gower, Chair, called the meeting to order.

RECOGNITION:

WELCOME and INTRODUCTIONS:

POSSIBLE PECUNIARY INTEREST:

Mr. Downey declared a possible pecuniary interest as his firm Hughes Downey Architects is involved with Applications P18-285-010-2009 and P18-285-011-2009 for a property located at 366 King Street East also known as 61-73 Princess Street.

Mr. Cardwell declared a possible pecuniary interest as his spouse submitted Request PRE-KMHC-008-2009 for a property located at 3 Sharmans Lane, Barriefield Village, and as he is a neighbour to property located at 218 Green Bay Road, Barriefield Village regarding Heritage Property Grant Application HG-06-2009 and Application P18-481-018-2009.

Mr. Sims declared a possible pecuniary interest as he is acting as an agent for Request PRE-KMHC-008-2009 for a property located at 3 Sharmans Lane, Barriefield Village.

Mr. Sims and Ms. Sypnowich declared possible pecuniary interests for Application P18-519-028-2009 for a property located at 250 Main Street, Barriefield Village as they are neighbouring property owners.

Mr. Gemmell declared a possible pecuniary interest for Application HG-03-2009 and Application P18-070-015-2009 for a property located at 02 Beverley Street as he is involved with the project.

Mr. Letourneau, Heritage Planner, advised that he would abstain from discussions regarding Application P18-370-078-2008 for a property located at 143 Union Street also known as the former Victoria School and Application P18-369-020-2009 for a property located at 135-139 Alfred Street as his doctoral dissertation is currently under review by Queen's University.

CONFIRMATION OF AGENDA:

*Moved by Mr. Duerkop
Seconded by Mr. Caldwell*

THAT the agenda be confirmed as amended to add:

Under 'Other Business':

- *Personal Matter*

Under 'Other Matters':

- *Application for 247 Main Street*

CARRIED

CONFIRMATION OF MINUTES:

*Moved by Councillor Glover
Seconded by Ms. Sypnowich*

THAT the minutes of the Kingston Municipal Heritage Committee Meetings No. 2009-04 held on March 02, 2009 be confirmed with agreed to edits.

CARRIED

*Moved by Councillor Glover
Seconded by Ms. Sypnowich*

THAT the minutes of the Kingston Municipal Heritage Committee Meetings No. 2009-05 held on March 2009 be confirmed with agreed to edits.

CARRIED

Mr. Gower noted remarks provided by Mr. Letourneau in the February 09, 2009 minutes and it was confirmed that 'Reasons for Designation' are provided for every property considered by the Committee.

UPDATES:

A. Culture Services Department Report – by Ms. Lindsay Lambert, Planner.

Updates were provided regarding:

a) Working Groups:

- i.* Historic Properties Research Working Group
(David Ariss)

It was noted that research work is ongoing for the Denyes monument and Catarauqui Cemetery.

ii. **Communication and Education Working Group**
(John Duerkop)

A meeting is scheduled for mid-April, and a report will be forthcoming to the May meeting. Walking tours require finalization, and a discussion of plaques will take place.

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

Mr. Letourneau advised that the Interior of City Hall by-law was being finalized further to comments received from members.

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

Ms. Lambert said a final submission had been received and a draft brochure will be compiled and provided to the working group for discussion prior to presentation to the committee.

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

Ms. Lambert advised that staff in the Cultural Services and Engineering Departments will work together to bring forward an application regarding the Barriefield sidewalk matter.

b) Delegated Authority:

c) Technical Circulations:

d) Preliminary considerations for Designation:

e) Site Visits:

- i.* 220 Green Bay Road – Pre-Consultation Request March 02, 2009

Further to a request at the March meeting, a site visit was conducted by Ms. Lambert and some members at 200 Green Bay Road. Ms. Lambert advised that an approved grading plan was obtained through the severance application process which will be provided with a formal heritage permit application. It was noted that this new information will take precedent and will affect recommendations made during the site visit.

f) Grant and Tax Applications:

g) Other:

- i.* Application P18-403-007-2009 for a property located at 36 Barrie Street – details requested February 09, 2009.

Schedule Page 1.

Details of the 'wood storm window installation to indicate the placement of these units relative to the existing window frame' were requested to be re-submitted to the Cultural Services Department for review by the Committee and were provided to members.

It was confirmed that the submission was in accordance with the request that was made.

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

Updates were provided regarding:

Rideau Corridor Landscape Strategy Forum

Mr. Gower advised that he had attended the Rideau Corridor Landscape Strategy Forum on April 02 at the North Grenville Municipal Centre. The forum was established to receive ideas on the planning, development and conservation challenges facing the World Heritage Site and was hosted by Parks Canada.

Registry Office Tarriff Fees

Copies of a letter of authority from John Dalglish, Director, Real Property Registration Branch of the Ministry of Government Services were distributed to members separately. The letter to allow the waiving of tariff fees at Land Registry Offices for Heritage Committee members and their students is valid until March 31, 2010.

Mr. Gower suggested that Mr. Bert Duclos, Heritage Outreach Consultant be contacted regarding any enquiries.

BRIEFINGS:

a) Ms. Carolyn Downs, City Clerk – regarding Disclosure of Possible Pecuniary Interest.

Ms. Downs, City Clerk, was present to clarify a written communication which had been provided to members further to an e-mail dialogue regarding possible pecuniary interest. She advised that e-mail is often an unsatisfactory way to communicate and so she wanted to clarify in person what she had put in print.

Within a discussion and further to questions asked, Ms. Downs noted the following:

- If a member chooses not to vote, and has not declared a possible pecuniary interest it is deemed to be a negative vote as per the Municipal Act and the City's Procedural By-law.
- 'Disclosure of Conflict of Interest' forms which are currently used at Council meetings, will be made available at committee meetings so there will be a written record with the minutes for those members who declare a possible pecuniary interest.
- Those who declare a Conflict of Interest should push away from the table and make clear that they are not participating in the discussion, or another option is to actually leave the meeting room.
- A chart entitled 'Municipal Conflict of Interest Act, Self Assessment Chart' could be made available to anyone who wishes to receive it as it provides a good summary of how conflict should be dealt with.
- When asked by a member if they have a conflict, advice was to err on the side of caution as only a member him/herself can determine whether they have a potential pecuniary interest.
- Pecuniary interest refers not only to a direct financial interest but to things that can be measured in terms of financial value, ie. assets; pecuniary interest is to be contrasted with other interests such as social, philosophical, political, sentimental or other interests that do not involve actual gain or loss to the Committee member in terms of money, property value, and assets.
- Members of the Committee representing an applicant should have someone else present the application.

Ms. Downs noted that some questions may require a response from the City Solicitor.

Mr. Glover noted that further to legal advice which he had been provided, a statement by a member that there is not a pecuniary interest makes it clear that steps have been taken by a member to consider the matter.

Concern was expressed by members that the effectiveness of the committee could be compromised.

Ms. Finley noted that the work of this committee is unique, and expressed concern that future discussions would not have the same input and quality as in the past. She enquired regarding methods used by other municipalities, and if specific rules could be established. She suggested guidelines would assist in making judgements on conflict of interest issues. She noted that a declaration is a personal matter, and it is up to the member to declare an interest.

Ms. Downs advised of the process regarding Possible Pecuniary Interest forms which are to be filled in by members and requested by the Chair upon completion for submission to the Committee Clerk for filing with the minutes.

Mr. Gower thanked Ms. Downs for attending. Ms. Downs left the meeting at this time.

DELEGATIONS:

BUSINESS:

A. Reports

B. Heritage Permit Applications Requesting Approval

Comments from City Departments regarding the Heritage Permit Applications were distributed with the agenda. Additional comments received following completion of the agenda were provided verbally by Ms. Lambert, Planner.

- i.* Delegation regarding Application P18-370-078-2008 for a property located at 143 Union Street also known as the former Victoria School requesting final approval for the construction of an addition.

Schedule Pages 2-17.
Large drawings were distributed separately.

The application was distributed with the 06th October 2008 agenda.

A recommendation of KMHC October 06, 2008 and Resolution of Council October 21, 2008 for an Approval in Principle was noted.

Mr. Thomas Wilson, The Ventin Group (Toronto) Ltd., Architects was present.

To questions regarding the massing of the building and the relation of the height of the new building to KCVI, Mr. Wilson said that the roof of Victoria School wouldn't be visible even if the new building was stepped back from Frontenac Street, and that parapet to parapet, the height of the two buildings would be approximately the same.

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

THAT Application P18-370-078-2008 for a property located at 143 Union Street also known as the former Victoria School requesting final approval for the construction of an addition **BE APPROVED** in accordance with details described within a submission which received Approval in Principle October 21, 2008, and in accordance with drawings dated February 6, 2009 and received March 19, 2009, and elevation drawings received April 6, 2009.

CARRIED

- ii. Delegation regarding Application P18-285-010-2009 for a property located at 366 King Street East also known as 61-73 Princess Street requesting approval for the installation of a railing around the perimeter of the roof with details described within a submission filed 1 February 19, 2009 and deemed complete by the Cultural Services Department March 05, 2009.

Schedule Pages 18-29.

A pre-consultation (PRE-KMHC-005 2009) took place in February 2009.

Mr. Downey declared a possible pecuniary interest.

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

Drawings of the project dated January 15th and February 17th 2009 were distributed to show the fire rated wall assembly and detailing with a railing of glass rather than wood.

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

THAT Application P18-285-010-2009 for a property located at 366 King Street East also known as 61-73 Princess Street requesting final approval for the installation of a railing around the perimeter of the roof **BE APPROVED** in accordance with details described within a submission filed February 19, 2009 and deemed complete by the Cultural Services Department March 5, 2009.

CARRIED

- iii. Delegation regarding Application P18-285-011-2009 for a property located at 366 King Street East also known as 61-73 Princess Street requesting approval for the installation of: a wood-framed shade structure/rooftop trellis with two wooden benches and nine wooden planters; concrete patio stones (2' x 2') adjacent to the trellis; additional exterior rooftop door at the north stairwell, with details described within a submission filed February 19, 2009 and deemed complete by the Cultural Services Department March 05, 2009.

Schedule Pages 30-44.

A pre-consultation (PRE-KMHC-005 2009) took place in February 2009.

Mr. Downey declared a possible pecuniary interest.

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

Drawings of the project dated February 17, 2009 were distributed to indicate tie downs and elevations. It was noted that the wooden trellis will be connected to the planters.

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

THAT Application P18-285-011-2009 for a property located at 366 King Street East also known as 61-73 Princess Street requesting final approval for the installation of: a wood-framed shade structure/rooftop trellis with two wooden benches and nine wooden planters; concrete patio stones (2' x 2') adjacent to the trellis; additional exterior rooftop door at the north stairwell and build out of penthouse wall for installation of fire rated wall **BE APPROVED** in accordance with details described within a submission filed February 19, 2009 and deemed complete by the Cultural Services Department March 5, 2009.

CARRIED

Mr. Downey returned to the discussion.

- iv. Delegation regarding Application P18-629-017-2009 for a property located at 106-108 Clergy Street East requesting approval for the replacement of a portion of the roof covering (black asphalt shingles to black asphalt shingles) and replacement of existing windows (wood windows

with aluminum storms) with double hung vinyl windows, with details described within a submission filed 20 March 2009 and deemed complete by the Cultural Services Department 24 March 2009.
Schedule Pages 45-55.

Mr. Dan MacDonald, Panadew Property Management, agent for the owner, was present for the discussion. Two proposals were considered.

Further to consideration of the submission to replace wood windows with vinyl windows, it was agreed that a site visit would take place in order to provide further comment regarding the existing wood windows.

*Moved by Mr. Gemmell
Seconded by Mr. Downey*

THAT Application P18-629-017-2009 for a property located at 106-108 Clergy Street East requesting final approval for the replacement of a portion of the roof covering (black asphalt shingles to black asphalt shingles) **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further -

THAT consideration for the replacement of existing windows (wood windows with aluminum storms) with double hung vinyl windows **BE DEFERRED** to the May meeting to permit a site visit be undertaken.

CARRIED

- v. Delegation regarding Application P18-268-019-2009 for a property located at 192 Ontario Street requesting approval for the replacement of six aluminum windows with double hung vinyl windows, flashed with aluminum on the exterior, with details described within a submission filed March 10, 2009 and deemed complete by the Cultural Services Department March 13, 2009.
Schedule Pages 56-61.

Mr. Jim Colden, agent for the owner, was present to describe the application.

Further to consideration of the submission to replace the windows, it was agreed that a site visit would take place in order to provide further comment. It was noted that the committee supports real muntins.

Ms. Finley will provide an earlier photo to the Committee for reference.

*Moved by Mr. Downey
Seconded by Mr. Gemmell*

THAT Application P18-268-019-2009 for a property located at 192 Ontario Street requesting final approval for the replacement of six aluminum windows with double hung vinyl windows, flashed with aluminum on the exterior **BE DEFERRED** to the May meeting to permit a site visit to be undertaken.

CARRIED

- vi. Delegation regarding Application P18-369-020-2009 for a property located at 135-139 Alfred Street also known as 135-139 Union Street requesting approval for the replacement of deteriorated wood cladding, scraping and repainting areas of peeling/failing paint on exterior walls, soffit and fascia, repair and repainting of eavestroughing, roof guttering and down piping, scraping and repainting exterior window frames as required, with details described within a submission filed 19 March 2009 and deemed complete by the Cultural Services Department March 25, 2009.

Schedule Pages 62-73.

It was noted that an application had not been considered for balcony removal and replacement.

Ms. Lambert noted that construction drawings for a porch would be provided at a future time.

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

THAT Application P18-369-020-2009 for a property located at 135-139 Alfred Street also known as 135-139 Union Street requesting final approval for the replacement of deteriorated wood cladding, scraping and repainting areas of peeling/failing paint on exterior walls, soffit and fascia, repair and repainting of eavestroughing, roof guttering and down piping, exterior window frames as required **BE APPROVED** in accordance with details described within a submission filed March 19, 2009 and deemed complete by the Cultural Services Department March 25, 2009.

CARRIED

- vii. Delegation regarding Application P18-499-024-2009 for a property located at 251 Main Street, Barriefield Village requesting approval for an addition to the west and north side of the existing dwelling, new double hung windows for the entire dwelling, replacement of roof covering with cedar shakes, new stone and brick cladding, with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009.
- Schedule Pages 74-99.
Large drawings distributed separately.

Mr. Tim Torgensen, agent for the owner, was present to describe the application, and noted his request (PRE-009) which was heard on September 08, 2008.

Further to the discussion, Ms. Lambert noted that comments in September 2008 regarding the project were favourable. She further noted that the boundary of the UNESCO designation terminates at Belle Park and that Barriefield Village is not included.

To a question regarding drawings, Mr. Torgensen advised the coloured submission is what is being considered at the time and that construction drawings will be updated to match.

It was noted that the chimney may be simplified. Final drawings were requested.

Ms. Lambert noted comments received from the Planning Department following preparation of the agenda.

*Moved by Mr. Downey
Seconded by Mr. Gemmell*

THAT Application P18-499-024-2009 for a property located at 251 Main Street, Barriefield Village requesting final approval for an addition to the west and north side of the existing dwelling, new double hung windows for the entire dwelling, replacement of roof covering with cedar shakes, new stone and brick cladding **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further -

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further -

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

CARRIED

- viii. Delegation regarding Application P18-059-025-2009 for a property located at 72-74 Barrie Street requesting approval for the installation of a new ramp along southern side of existing building with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009.

Schedule Pages 100-119.
Large drawings were distributed separately.

A pre-consultation (PRE-KMHC-007-2009) took place in March 2009.

Mr. Robert Malloy, agent for the owner, was present to describe the application. Drawings and photos were displayed. Mr. Malloy confirmed accessibility from the front and the side of the building. The retention of wooden posts and rails was noted.

*Moved by Councillor Glover
Seconded by Mr. Cardwell*

THAT Application P18-059-025-2009 for a property located at 72-74 Barrie Street requesting final approval for the installation of a new ramp along southern side of existing building **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further –

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further –

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

CARRIED

- ix. Delegation regarding Application P18-690-026-2009 for a property located at 99 Yonge Street requesting approval for a single storey framed rear addition to an existing single storey addition on the east side of stone dwelling, with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009.

Schedule Pages 120-132.
Large drawings were distributed separately.

Mr. Sherman Hill, agent for the owner, was present to describe the application. He noted changes which were made to include changing a window on the south wall to a door.

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

THAT Application P18-690-026-2009 for a property located at 99 Yonge Street requesting final approval for a single storey framed rear addition to an existing single storey addition on the east side of stone dwelling **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further –

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further –

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

CARRIED

- x. Delegation regarding Application P18-647-027-2009 for a property located at 226 King Street East, Barriefield Village requesting approval for the replacement of two non-original front basement windows with 1843 replica windows, repainting, the addition of wrought iron railings to window wells and small flower garden; replacement of a section of sidewalk in front of dwelling, rerouting of the downspout from sanitary to storm sewer and replacement of lead water pipe; replacement of hut over rear basement entrance clad with board & batten pine, addition of a door, cedar shingle roof, painting, installation of a small retaining wall, shed, cedar shingle roof, replacement of storm windows with wood replica windows, with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009.

Schedule Pages 133-162.

Mr. Dave Gaensbauer, owner, was present to describe the application.

Ms. Lambert noted that the applicant requested approval for some work which was outside the property boundary and within the municipal right of way and recommended that they be addressed by the applicant through the Engineering Department and Utilities Kingston. Ms. Lambert noted comments she had received from the Planning Department regarding zoning concerns.

Mr. Gaensbauer noted that the construction of the shed will be less than 108 square feet. It was noted that a fire rated wall would be required at the property line.

*Moved by Mr. Cardwell
Seconded by Councillor Glover*

THAT Application P18-647-027-2009 for a property located at 226 King Street East requesting final approval for the replacement of two non-original front basement windows with 1843 replica windows, repainting, the addition of wrought iron railings to window wells and small flower garden; replacement of a section of sidewalk in front of dwelling, rerouting of the downspout, replacement of hut over rear basement entrance clad with board & batten pine, addition of a door, cedar shingle roof, painting, installation of a small retaining wall, shed, cedar shingle roof, replacement of storm windows with wood replica windows **BE APPROVED** in accordance with details described within a submission filed March 20, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further-

THAT it be understood that the work will be done in accordance with Heritage masonry guidelines and details related to this work be submitted,

- and further –

THAT should archaeological resources be found on the property during the construction activities, the Ministry of Culture and the City of Kingston's Heritage Planner shall be notified immediately,

- and further –

THAT in the event that human remains are encountered during the construction activities, the proponent must immediately contact the City of Kingston's Heritage Planner, the Ministry of Culture and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (1-800-268-1142).

CARRIED

- xi. Delegation regarding Application P18-519-028-2009 for a property located at 250 Main Street, Barriefield Village requesting approval for the construction of a new dwelling, with details described within a submission filed March 23, 2009 and deemed complete by the Cultural Services Department March 25, 2009.

Schedule Pages 163-210.

A pre-consultation (PRE-KMHC-003 2009) took place in January 2009.

Mr. Craig Sims and Ms. Christine Sypnowich declared possible pecuniary interests and abstained from the discussion.

Mr. and Ms. Szabo, owners of the property, attended the meeting.

Ms. Szabo described the application, noting an initial survey plan and a second survey plan received in March which was used to determine the floor elevation.

Consideration was given to the plans submitted. Clarification was requested in regard to elevations provided. The form and massing of Plan 'A' were queried, and the requirements within the Barriefield District Plan for a principal main block or mass with subordinate wing was referenced. Plan 'B' was noted as a viable option within the requirements of the Barriefield District Plan with some suggested adjustments.

Mr. and Ms. Szabo left the meeting at this time.

Following a recess, and a discussion by the Chair and staff with Mr. McLeod, Senior Legal Counsel, it was agreed that the matter would be deferred and that correspondence would be directed to the applicants.

*Moved by Mr. Gemmell
Seconded by Councillor Glover*

THAT Application P18-519-028-2009 for a property located at 250 Main Street, Barriefield Village requesting final approval for the construction of a new dwelling **BE DEFERRED** to the May meeting and that the Clerk be requested to send correspondence to the owners inviting them to attend the May meeting to continue the discussion,

- and further -

THAT if be understood that if the applicant or agent does not attend or respond, the application would be considered to be abandoned and would subsequently be denied, with the understanding that that another application could be made at a later date.

CARRIED

Mr. Sims and Ms. Sypnowich returned to the discussion.

C. Heritage Permit Applications for Emergency Works requiring Reaffirmation

- i.* Delegation regarding Application P18-633-009-2009 for a property located at 151 Earl Street, requesting approval for the repair of a flat portion of roof with a membrane roofing system, with details described within a submission filed March 04, 2009 and deemed complete by the Cultural Services Department March 05, 2009.

Schedule Pages 211-215.

Ms. Lambert noted the application which received an emergency approval.

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

THAT Application P18-633-009-2009 (EA) for a property located at 151 Earl Street which received an emergency approval for the repair of a flat portion of roof with a membrane roofing system **BE REAFFIRMED** in accordance with details described within a submission filed March 4, 2009 and deemed complete by the Cultural Services Department March 5, 2009.

CARRIED

D. Pre-Consultation Requests

- i.* Delegation regarding Request PRE-KMHC-008-2009 for a property located at 3 Sharmans Lane, Barriefield Village requesting approval for the replacement of wood casement windows with vinyl windows.

Schedule Pages 216-221.

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

Mr. Gower invited Mr. Sims, agent for the owner, to present the pre-consultation request.

Mr. Sims noted that an application for this property had been considered and denied by the Committee in October 2008.

Mr. Sims referenced Section 4.2 of the Barriefield Heritage Conservation District Plan and noted that the building is a modern building clad in vinyl. He said that the intent has not been that owners of new buildings meet the same standard as owners of old buildings. He noted grant approvals for windows which apply to restoration of windows in old buildings, and do not include funding restoration of windows in new buildings. Mr. Sims stated that vinyl windows wouldn't be appropriate in most houses in the village.

Concern was expressed with the precedent which is being set. The aesthetic contribution of wooden windows to a building to enhance the character of the village was noted.

Ms. Lambert said that while there are policies, this property is not referenced within the building inventory of the Barriefield Heritage Conservation District Plan.

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

E. Heritage Property Grant Applications

Mr. Gower noted that grant applications would be considered to be in compliance unless further comments were provided by Ms. Lambert.

- i. Delegation regarding Heritage Property Grant Application HG-01-2009 and Application P18-657-013-2009 for a property located at 112 Montreal Street requesting approval for the replacement of soffit fascia, dormer windows, scaffolding, and painting with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 11, 2009.

Schedule Pages 222-243.

*Moved by Councillor Glover
Seconded by Mr. Downey*

THAT Application P18-657-013-2009 for a property located at 112 Montreal Street requesting approval for the replacement of soffit fascia, dormer windows, scaffolding, and painting **BE APPROVED** in accordance with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 11, 2009,

- and further -

THAT Application HG-01-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further -

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

CARRIED

- ii. Delegation regarding Heritage Property Grant Application HG-02-2009 and Application P18-122-014-2009 for a property located at 52-56 Earl Street requesting approval for the repointing of a limestone foundation as needed with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 06, 2009.

Schedule Pages 244-266.

Ms. Finley, owner of the property, was present for the discussion. Ms. Finley explained that repointing of the foundation would be done on an as needed basis.

Moved by Councillor Glover

Seconded by Mr. Gemmell

THAT Application P18-122-014-2009 for a property located at 52-56 Earl Street requesting approval for the repointing of a limestone foundation as needed **BE APPROVED** in accordance with the understanding that the work will be done in accordance with Heritage masonry guidelines and that the joints be flush in the stone, and with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 6, 2009,

- and further –

THAT Application HG-02-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

CARRIED

- iii. Delegation regarding Heritage Property Grant Application HG-03-2009 and Application P18-070-015-2009 for a property located at 2 Beverley Street requesting approval for the restoration of original wood frame windows with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 06, 2009.

Schedule Pages 267-275.

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

Mr. and Mrs. Hamacher, owners, were present for the discussion.

Mrs. Hamacher confirmed that some windows had been restored prior to this application.

Moved by Mr. Cardwell

Seconded by Councillor Glover

THAT Application P18-070-015-2009 for a property located at 2 Beverley Street requesting approval for the restoration of original wood frame windows **BE APPROVED** in accordance with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 6, 2009,

- and further –

THAT Application HG-03-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

CARRIED

Mr. Gemmell returned to the discussion.

- iv. Delegation regarding Heritage Property Grant Application HG-04-2009 and Application P18-545-016-2009 for a property located at 70 Montreal Street requesting approval for the replacement of the roof, and painting of the dormer, fascia board and soffits with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 11, 2009.

Schedule Pages 276-288.

A discussion took place regarding a request for a grant for the work and materials within the grant application. Property standards issues for this property were also noted.

Ms. Lambert clarified that in 2007, the committee had considered property standards matters as they relate to grants and that it was noted that grants could be considered in some cases. Mr. Letourneau confirmed discussions in 2006 where painting of a character defining element would be permitted.

It was agreed that the costs of the work to be done would be covered, but that the grant would not include the materials for the roof and the dormer.

Moved by Mr. Cardwell

Seconded by Councillor Glover

THAT Application P18-545-016-2009 for a property located at 70 Montreal Street requesting approval for the replacement of the roof, and painting of the dormer, fascia board and soffits **BE APPROVED** in accordance with details described within a submission filed February 27, 2009 and deemed complete by the Cultural Services Department March 11, 2009,

- and further –

THAT Application HG-05-2009 for this property **BE PROVISIONALLY APPROVED** for the costs of the work to be done but not to include the materials for the roof and the dormer a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

THAT it be understood that any roof repairs that may be necessary may also be completed,

- and further –

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

CARRIED

- v. Delegation regarding Heritage Property Grant Application HG-05-2009 and Application P18-134-012-2009 for a property located at 149 Earl Street requesting approval for the replacement of roof flashing with details described within a submission filed March 04, 2009 and deemed complete by the Cultural Services Department March 11, 2009.

Schedule Pages 289-301.

Mr. Tasker, owner, was present for the discussion.

Further to the discussion, it was confirmed that any necessary roof repairs could also be completed. Mr. Tasker advised that the lower flashing may be removed without touching the slate; however, the slate would need to be disassembled around the dormers. He said that an exact match for the slate has been found.

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

THAT Application P18-134-012-2009 for a property located at 149 Earl Street requesting approval for the replacement of roof flashing, **BE APPROVED** in accordance with details described within a submission filed 04 March 2009 and deemed complete by the Cultural Services Department 11 March 2009,

- and further –

THAT Application HG-04-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

CARRIED

- vi. Delegation regarding Heritage Property Grant Application HG-06-2009 and Application P18-481-018-2009 for a property located at 218 Green Bay Road, Barriefield Village requesting approval for the replacement of damaged bricks and repointing with details described within a submission filed March 12, 2009 and deemed complete by the Cultural Services Department March 24, 2009. Schedule Pages 302-323.

Mr. Smith, owner, was present for the discussion.

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

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

THAT Application P18-481-018-2009 for a property located at 218 Green Bay Road, Barriefield Village requesting approval for the replacement of damaged bricks and repointing **BE APPROVED** in accordance with details described within a submission filed March 12, 2009 and deemed complete by the Cultural Services Department March 24, 2009,

- and further –

THAT Application HG-06-2009 for this property **BE PROVISIONALLY APPROVED** for a Heritage Property Grant of 50% of the costs associated with the Eligible Work as submitted by receipts and up to a maximum amount of \$2000,

- and further –

THAT this approval is provisional upon the eligible work being satisfactorily completed as outlined within By-Law No. 2005-258 'A By-Law to Establish a Heritage Grants Program', with the grant payable to the owner following a final inspection of the eligible work, a determination that the eligible work has been performed in accordance with the Ontario Heritage Act and any permit issued thereunder, and the final approval of Council.

CARRIED

Mr. Cardwell returned to the discussion.

F. Heritage Grant Applications Requesting Release of Funding

G. Heritage Property Grant Abandoned Applications

H. Heritage Property Tax Refund Applications

- i. Delegation regarding Application HT-02-2009 for a property located at 223 King Street East requesting a Heritage Property Tax Refund as described within By-Law No. 2005-257, 'A By-law to Establish a Heritage property Tax Refund Program'.

Schedule Pages 324-328.

*Moved by Councillor Glover
Seconded by Mr. Cardwell*

THAT Application HT-02-2009 for a property located at 223 King Street East **BE APPROVED** for a Heritage Property Tax Refund as described within By-Law No. 2005-257, 'A By-law to Establish a Heritage property Tax Refund Program'.

CARRIED

J. Property Designations

K. Technical Circulations

L. Motions

M. Other Matters

- i. Application for 247 Main Street

An application for 247 Main Street which was submitted to the British Whig Building in March will be brought forward at the May meeting.

- ii. Copesworth House at 437 King Street West

To a comment that the Copesworth House has new owners, staff advised that they have spoken with the new owners who plan to eventually pursue an application to repaint the house. Comments previously provided to past owners were noted and upheld.

Mr. Letourneau advised that the Ministry of Culture has been requested to assist in Heritage matters relating to contacts with groups who deal with properties such as banks and utilities companies.

OTHER BUSINESS:

Councillor Glover extended best wishes to Mr. Letourneau, Heritage Planner, who will be defending his PhD.

UPCOMING EVENTS:

- i. **April 25, 2009** – School of Restoration Arts at Willowbank is hosting its Annual Open House.
Schedule Pages 329-330
- ii. **May 29-31, 2009** – ACO/CHO 2009 Ontario Heritage Conference in Peterborough.
Schedule Pages 331-338.
- iii. **September 24-26, 2009** – The Heritage Canada Foundation's Annual Conference.
Schedule Pages 339-340.

CORRESPONDENCE/CIRCULATIONS:

A. Reports to/from Council

- i.* March 02, 2009 – Heritage Report No. 04 submitted to Council for consideration on March 24, 2009.

Schedule Page 341.

B. Correspondence Sent as Information

Copies of the following memorandums were sent out from the Clerks' Department, and were made available at the meeting for those who wished to review the full document:

Memorandum dated March 04, 2009 from Ms. Carolyn Downs, City Clerk to:

- i.* Cynthia Beach, Commissioner, Sustainability & Growth, Memorandum regarding By-Law to amend By-Law 84-650 - Amend Description of Designated Property at 19-23 Queen Street.

Correspondence dated March 04, 2009 from Ms. Carolyn Downs, City Clerk to:

- i.* Ontario Heritage Trust, Sean Fraser, Team Leader, Conservation Services – City of Kingston – Municipal Heritage Committee (LACAC) Approvals – March 3rd, 2009.
- ii.* Shoalts and Zaback Architects Ltd. - Approval for window replacement work on building at 216 King Street East.
- iii.* Queen's University – Approval for repair/replacement work at 36 Barrie Street.
- iv.* HDR/Mill & Ross – Approval for repair/replacement work at 34 Barrie Street.
- v.* Gerald & Helen Finley – Gerald & Helen Finley – Approval for reconstruction work at 44 Earl Street.

Correspondence dated March 25, 2009 from Ms. Carolyn Downs, City Clerk to:

- i.* Ontario Heritage Trust, Sean Fraser, Team Leader, Conservation Services – City of Kingston – Municipal Heritage Committee (LACAC) Approvals – March 24th, 2009.
- ii.* Kathleen Lahey – Approval for Heritage Property Tax Refund – 86 Beverley Street.

Memorandum dated March 27, 2009 from Ms. Carolyn Downs, City Clerk to:

- i.* Hal Linscott, Director, Legal Services, regarding Certified Heritage Designation By-Laws for Registration On title – 29-23 Queen Street-By-Law 2009-15.

Correspondence dated March 09, 2009 from Mr. Peter Gower, Chair, Kingston Municipal Heritage Committee to:

- i.* Mr. Lenke Szabo and Ms. Janos Szabo regarding 'Pre-Consultation Request for a property located at 250 Main Street, Barriefield Village'.

Schedule page 342.

Correspondence dated March 13, 2009 from Mr. Peter Gower, Chair, Kingston Municipal Heritage Committee to:

- ii.* Ema ARCHITECTS inc. – RE: Delegation regarding the design concept for the Stella Buck building site (Tett Centre Site) and the Queens Performing Arts Centre. Schedule page 343.

Memorandum dated March 09, 2009 from Ms. Susan Powley, Committee Clerk to:

- i.* Ms. Cynthia Beach, Commissioner, Sustainability & Growth regarding Meeting with Ms. Cynthia Beach, Commissioner, Sustainability & Growth.
- ii.* Mr. Ted Stratford, Secretary/Treasurer, Committee of Adjustment regarding 'Technical Circulation for Applications D10-458-2009 for consent for a property located at 247-249 Brock Street, for a Minor variance to Zoning By-Law 96-259, Downtown and Harbour Kingston (Kingston Central) to restore 249 Brock Street, to its original use and to permit ground floor residential use.

C. Correspondence Received as Information

- i.* Ms. Lindsay Lambert from Pierre & Julia du Prey regarding property at 250 Main Street, Barriefield. Schedule Page 344.

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 in the Council Chambers as follows:

- 04 May
- 01 June
- 06 July
- 10 August
- 14 September
- 05 October
- 02 November
- 07 December

ADJOURNMENT:

The meeting adjourned at 4:05 p.m.

