



**KINGSTON MUNICIPAL HERITAGE COMMITTEE (L.A.C.A.C.)
MINUTES
MEETING No. 2009-09
Monday June 01, 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
Mr. Robert Cardwell
Mr. John Duerkop
Mr. Craig Sims
Ms. Christine Sypnowich

REGRETS

Mr. Michael Gemmell

STAFF PRESENT

Ms. Cynthia Beach, Commissioner, Sustainability & Growth
Mr. Marcus Letourneau, Heritage Planner
Mr. Alan McLeod, Senior Legal Counsel
Ms. Susan Powley, Committee Clerk
Ms. Marnie Venditti, Manager, Planning & Development
Mr. George Wallace, Director, Planning & Development

OTHERS PRESENT

Ms. Helen Finley

THIS IS NOT A VERBATIM REPORT

MEETING TO ORDER:

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

RECOGNITION:

WELCOME and INTRODUCTIONS:

POSSIBLE PECUNIARY INTEREST:

Ms. Sypnowich declared a possible pecuniary interest as she is a neighbour to a property located at 250 Main Street, Barriefield Village regarding Application P18-519-028-2009.

Mr. Sims declared a possible pecuniary interests as he is a neighbour to a property located at 250 Main Street, Barriefield Village regarding Application P18-519-028-2009.

CONFIRMATION OF AGENDA:

*Moved by Councillor Glover
Seconded by Mr. Downey*

THAT the agenda be confirmed as amended to add under 'Other Matters':

- Awards at the Annual Meeting of the BIA
and to note a correction to wording of the motion approved by Council under 'Business' –
'Heritage Permit Applications Requesting Approval' (v):
- Application P18-519-028-2009 for a property located at 250 Main Street, Barriefield Village

CARRIED

CONFIRMATION OF MINUTES:

*Moved by Councillor Glover
Seconded by Ms. Sypnowich*

THAT the minutes of the Kingston Municipal Heritage Committee Meeting No. 2009-07 held on 04 May 2009 be confirmed with agreed to edits.

CARRIED

Mr. Letourneau advised that he didn't declare a pecuniary interest at the May meeting, but that he was not present during the discussion of Queen's properties at that meeting.

UPDATES:

A. Planning & Development Department Report – by Mr. Marcus Letourneau, Heritage Planner.

Mr. Letourneau reported that Heritage staff have moved from the Cultural Services area, and are now located at 2511 John Counter Blvd. within the Planning & Development Department.

Updates were provided regarding:

a) Working Groups:

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

Mr. Letourneau invited Mr. Ariss to provide a report. Mr. Ariss asked Ms. Finley to update the Committee.

Sustainability Summit

Ms. Finley advised that she had attended the Sustainability Summit hosted by the City which was held the last week of May. She noted the four pillars of cultural, social, environmental and economic sustainability, and noted that Built Heritage could be broadened to also be included under the Economic pillar.

Mr. Gower advised that this area is not to be included within the Committee mandate. He recognized that sustainability of buildings has raised an awareness of Built Heritage.

Ms. Beach highlighted an opportunity to participate in a survey regarding sustainability themes. Cards regarding the survey were distributed to members.

- ii.* Communications and Education Working Group

(John Duerkop)

Mr. Duerkop advised that the walking tours that the group has been working on will be finalized by the end of the week. No formal meeting of the Working Group has been held since the last report.

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

There was no update at this time.

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

Mr. Gower noted that according to information provided at the May meeting, that this area could be covered under the Delegated Authority policy which is currently under review.

In regard to a query regarding a brochure which had been compiled, Mr. Letourneau suggested that this could be coordinated with the Communications and Education Working Group.

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

Councillor Glover advised that Ms. Cynthia Beach, Commissioner, Sustainability & Growth, had provided a briefing to Council regarding the Accessibility legislation. He suggested that Ms. Beach also provide the Committee with information regarding this legislation and how it will affect Committee considerations.

b) Delegated Authority:

c) Technical Circulations:

d) Preliminary considerations for Designation:

e) Site Visits:

- i.* Request for Site Visit at 6 Princess Street (later deemed to be 14 Princess Street)

Mr. Letourneau noted that advice has been requested regarding doors and windows, and asked that members contact him if they wish to attend a site visit.

f) Grant and Tax Applications:

g) Other:

- i.* Update regarding plaques

An update was made under Section B vi. on page 4.

- ii.* Update regarding wording for recommendations to Council

Mr. Letourneau advised that wording for recommendations to Council needs to be specific.

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

- i.* ACO/CHO 2009 Ontario Heritage Conference in Peterborough 29-31 May 2009

Mr. Letourneau reported that he and Mr. Cardwell had attended the conference.

- ii.* Microphone Use

Mr. Gower noted tips provided for microphone use within the Council Chambers to assist members and the public to hear the discussion.

iii. Approval in Principle

Mr. Gower referenced an instruction provided by Mr. Letourneau from Legal Services that 'Approval in Principal' is no longer an acceptable recommendation to Council, and that motions should indicate that an application is "approved subject to terms and conditions" to ensure compliance with the provisions of section 42(2) and 33(4) of the *Ontario Heritage Act*.

iv. Ontario Medal for Good Citizenship

Nominations for the Ontario Medal for Good Citizenship will be accepted until 17 August 2009 by the Ministry of Citizenship and Immigration.

Nominations for Young Heritage Leaders 2009, Heritage Community Recognition Program 2009, and Community Leadership Program 2009 will be accepted until 17 July 2009.

v. Sydenham Public School Unveiling of a Provincial Plaque

The Ontario Heritage Trust and Friends of the Sydenham Public School provided an invitation to a ceremony which will be held on 10 June 2009 at 1:15 p.m. at Sydenham Public School.

vi. Coat of Arms use on Heritage Plaques

Mr. Gower noted a discussion at the May meeting regarding plaques and the use of the City's Coat of Arms. Further to research conducted by the Committee Clerk, approval granted by Council 18th March 2008 for the application of the Coat of Arms on Heritage plaques was noted.

vii. Heritage Magazine

Mr. Gower referenced an article in the May/June 2009 issue of the Ontario Heritage Trust publication of *Heritage Matters* entitled 'Heritage in the new economy: Making sense of sustainability'.

viii. Closure of Barriefield Public School

Concern was expressed regarding the proposed closure of the public school in Barriefield Village, which would represent a loss to the village.

ix. Abeyance Listing

Mr. Gower noted outstanding items on the Abeyance Listing.

BRIEFINGS:

DELEGATIONS:

BUSINESS:

A. Reports

B. Heritage Permit Applications Requesting Approval

i. Delegation regarding Application P18-398-046-2009 for a property located at 308 Wellington Street also known as Bajus Brewery requesting approval for the attachment of a new yardarm

sign on the limestone wall with details described within a submission filed May 14, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

Schedule Pages 1-9.

Mr. Ernest Cromarty was present to represent the owner.

Mr. Letourneau referenced a notation on page 5 regarding an Ontario Heritage Trust easement and that a clause should be added noting approval would also be required by the Ontario Heritage Trust if an easement on the property is determined.

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

THAT Application P18-398-046-2009 for a property located at 308 Wellington Street also known as Bajus Brewery requesting approval for the attachment of a new yardarm sign on the limestone wall **BE APPROVED** in accordance with details described within a submission filed May 14, 2009 and deemed complete by the Cultural Services Department May 15, 2009,

- and further –

THAT it be understood that the sign will be attached using existing anchors, that the signage will be in compliance with the City sign by-law and that a sign permit will be required,

- and further –

THAT as this property is protected by an Ontario Heritage Trust easement, that the applicant ensures that Ontario Heritage Trust approves the proposed works.

CARRIED

- ii. Delegation regarding Application P18-134-037-2009 for a property located at 149 Earl Street also known as the Voster House requesting approval for repair and replacement of front porch (railings, balusters, newel posts) and minor repairs and painting of the platform with details described within a submission filed April 17, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

Schedule Pages 10-20.

Mr. Letourneau advised that the owner, Mr. Tasker, requested that the application proceed and that a decision be made in his absence.

A discussion took place regarding the property which is joined to a property at 151 Earl Street. Mr. Letourneau noted comments by Heritage Staff on page 13, which indicated that the porch spans two properties and that any alteration on 151 Earl Street would require a separate application.

*Moved by Mr. Downey
Seconded by Councillor Glover*

THAT Application P18-134-037-2009 for a property located at 149 Earl Street also known as the Vosper House requesting approval for repair and replacement of front porch (railings, balusters, newel posts) and minor repairs and painting of the platform that is located only on 149 Earl Street and which are not shared with 151 Earl Street **BE APPROVED** in accordance with details described within a submission filed April 17, 2009 and deemed complete by the Cultural Services Department May 15, 2009,

- and further –

THAT it be understood that any shared elements can only be approved following the submission and approval of an Application for 'Alteration under the Ontario Heritage Act' for work at 151 Earl Street.

CARRIED

- iii. Delegation regarding Application P18-291-044-2009 for a property located at 254-256 Princess Street requesting approval to replace and paint railing and spindralls (cypress wood), original colour of paint to be applied with details described within a submission filed May 7, 2009 and deemed complete by the Cultural Services Department May 19, 2009.

Schedule Pages 21-33.

Mr. Letourneau advised that Inglis & Downey Architects had previously been involved with restoration work at this property.

Consideration was given to the application, and photos were circulated.

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

THAT Application P18-291-044-2009 for a property located at 254-256 Princess Street requesting approval to replace and paint railing and spindralls (cypress wood), and the application of the original colour of paint **BE APPROVED** in accordance with details described within a submission filed May 7, 2009 and deemed complete by the Cultural Services Department May 19, 2009,

- and further –

THAT it be understood that the railing will match the existing railing height and proportion; that the bottom rail be made up of two pieces so the bottom of the ballusters will be sandwiched; that all new components such as the hand rail, be painted prior to assembling and the final coat of paint being applied; that a drip be located on either side of the top rail to keep water away from the joint of the balluster; and that decay resistant wood such as cypress or reclaimed white pine be used.

CARRIED

- iv. Delegation regarding Application P18-268-049-2009 for a property located at 192 Ontario Street requesting approval for replacement of seven windows with wooden, vertical sliding units with details described within a submission filed May 14, 2009 and deemed complete by the Cultural Services Department May 19, 2009.

Schedule Pages 34-40.

Two site visits to this property were noted, together with a report which was compiled following a second visit. It was noted that the report appended to the agenda as page 40 had been provided to the owner by Ms. Lambert.

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

THAT Application P18-268-049-2009 for a property located at 192 Ontario Street requesting approval for the replacement of seven windows with wooden, vertical sliding units **BE APPROVED** in accordance with details described within a submission filed May 14, 2009 and deemed complete by the Cultural Services Department May 19, 2009,

- and further –

THAT it be understood that the replaced windows will be 2 over 2, that the metal windows will be replaced with wooden sash units in existing frames or with wooden windows including the frames, that shim space will be left between the existing windows, and that all new frames will be wood.

CARRIED

- v. 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 41-55.

Large drawings distributed separately.

A pre-consultation (PRE-KMHC-003 2009) took place in January 2009. An application was reviewed April 06, 2009 and May 4, 2009.

A recommendation of KMHC on 04 May 2009 providing an Approval in Principle was noted. Also noted was correspondence received 19 May 2009.

Ms. Sypnowich and Mr. Sims declared possible pecuniary interests and left the discussion.

Mr. Szabo was present to represent the applicant. He brought forward large drawings and described revisions which had been made since his attendance at the May meeting. Mr. Szabo noted changes to include a 4 cm change to the floor elevation. He provided clarification to include the ridge height, an explanation regarding the excavation and slopes, access to gratings at windows, location of centre window which will be dropped to give emphasis to the centre of the façade, drainage, grading, stepping of foundation, exterior covering, and noted that the fascia will be prefinished wood.

Mr. Letourneau read comments from the Engineering Department which he distributed to members at the meeting. He confirmed to Mr. Szabo that these comments were in addition to the staff technical circulation report which was included with the agenda. He noted that copies of the drawings presented at the meeting will be required for the record. He provided a copy of the Heritage staff technical circulation report for Mr. Szabo.

To a question regarding the foundation wall on the west side, Mr. Szabo explained that the seal is low to allow as much light as possible into the house. Building Code requirements were referenced.

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

THAT Application P18-519-028-2009 for a property located at 250 Main Street, Barriefield Village requesting approval for the construction of a new dwelling **BE APPROVED** in accordance with details described within a submission presented on June 01, 2009,

- and further –

THAT the exposed foundation at the front increase to allow for the proper distance between wood and grade to meet building code requirements,

- and further –

THAT a copy of all windows dimensions and typical construction and trim details will be submitted to the Planning and Development Department at the time of submission to the Building and Licensing Department

- and further –

THAT a Stage 1 Archaeological Assessment is required to be completed for the property by an archaeologist licensed in the Province of Ontario and accepted by the Ministry of Culture prior to any site disturbance or any additional City of Kingston permit issuance. A copy of the Ministry compliance letter shall be included with any application for any additional permits (such as a Building Permit, foundation, site alteration permit, and encroachment permit) required by the City of Kingston,

- and further –

THAT the owner/applicant will provide to the Building & Licensing Department a copy of the decision of Council relating to this Application for Alternation under the Ontario Heritage Act together with a copy the drawings presented as part of the application reviewed at the Kingston Municipal Heritage Committee meeting on June 1, 2009,

- and further –

THAT it be understood that requirements outlined by the Engineering Department within a memo dated May 25, 2009 be met to include a site servicing and grading plan, an entrance permit, and a cut permit prior to the construction of any works within the right-of-way.

CARRIED

C. Heritage Permit Applications for Emergency Works requiring Reaffirmation

- i. Delegation regarding Application P18-619-045-2009-EA for a property located at 229 Brock Street, requesting approval for the replacement of the existing porch in kind with details described within a submission filed May 13, 2009.

Schedule Pages 56-65.

To a question regarding the emergency requirement for this application, Mr. Letourneau noted that it is a rental property.

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

THAT Application P18-619-045-2009-EA for a property located at 229 Brock Street, requesting approval for the replacement of the existing porch in kind **BE REAFFIRMED** in accordance with details described within a submission filed May 13, 2009.

CARRIED

- ii. Delegation regarding Application P18-223-043-2009-EA for a property located at 358 King Street East, requesting approval for the relocation of a sanitary lateral with details described within an amended submission filed May 14, 2009.

Schedule Pages 66-76.

Mr. Letourneau advised that Mr. Downey had viewed the property and that the Upper Canada Stonehouse group had reviewed the foundation which was affected and had done the work. He noted that other work being done on Princess Street may involve sidewalks.

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

THAT Application P18-223-043-2009-EA for a property located at 358 King Street East, requesting approval for the relocation of a sanitary lateral **BE REAFFIRMED** in accordance with details described within a submission filed May 14, 2009.

CARRIED

- i. Delegation regarding Application P18-273-050-2009-EA for a property located at 216 Ontario Street, also known as City Hall, requesting approval to install two new public washroom doors to match existing doors in the west end basement and alter thresholds to accommodate accessibility requirements with details described within a submission filed May 15, 2009.

Schedule Pages 77-81.

Mr. Letourneau noted the need for this work to be completed before First Capital Day.

To a question regarding previous doors which were square headed, Mr. Letourneau noted they were part of the 1973 renovation. A new entranceway has been designed in order to meet accessibility entrance requirements.

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

THAT Application P18-273-050-2009-EA for a property located at 216 Ontario Street, also known as City Hall, requesting approval to install two new public washroom doors to match existing doors

*in the west end basement and alter thresholds to accommodate accessibility requirements **BE REAFFIRMED** in accordance with details described within a submission filed May 15, 2009.*

CARRIED

D. Pre-Consultation Requests

- i. Delegation regarding Request PRE-KMHC-011-2009 for a property located at 128-136 Ontario Street requesting advice regarding the repair and stabilization of the exterior and interior limestone walls and chimneys and replacement of all windows and doors.*

Schedule Pages 82-85.

A recommendation of KMHC on 04 May 2009 to defer the matter so the applicant could attend the meeting for the discussion was noted.

Mr. Letourneau distributed a copy of a quotation dated April 2009 from Upper Canada Stone House Group Ltd to repair and stabilize the property and to repoint and repair chimneys. Also distributed was an exterior elevations drawing dated July 2008 from Colbourne & Kemble Architects Inc.

Ms. Daphne Dean, owner, was present for the discussion. She clarified the request to totally repoint the building, advising that she had obtained a quote from contractors who had done the wall the previous year. The back addition is not part of the original building and she will be seeking a demolition permit for this. The roof was added 2 years ago. Ms. Dean referenced a copy of the work to be done.

Ms. Dean referenced options for the property to also include rebuilding three chimneys, a covered court yard with more residential units, new windows and doors (not wood). She compared this with another nearby project where metal windows were placed on the outside and wood on the inside as the weather impacts the wood.

Ms. Dean described the proposed removal of some windows as they are located in between floors. She noted the proposed use for the second and third floors would not include student housing or commercial uses.

To a request for clarification regarding removal of the windows, Ms. Dean explained that the windows will not be taken out, but will be moved; units will stretch from front to back and windows would be moved to line up with other windows so there is a symmetry to the building. She noted that the large cargo door serves no purpose at this time, and that the openings would be restored as entrances.

Concern was expressed that the front appearance of the building will change.

To a question regarding alterations to the back of the building and a possible balcony, Ms. Dean explained that changes are proposed for the symmetry of the building. She advised that she has another set of plans with details which she could provide at the next meeting.

To a question regarding the vintage of the windows, Ms. Dean replied that the 1800's main building had buildings added to it later. Windows on the main floor were done in 1986 and pella windows were installed on the west side in 2002. The windows which are boarded up are wooden with muntin bars.

Mr. Gower suggested that a site visit be arranged. Mr. Letourneau asked Ms. Dean to contact him regarding her availability for a site visit. Ms. Dean said there is some urgency for repairs at the corner of the building.

E. Heritage Property Grant Applications

- i. Delegation regarding Application P18-195-022-2009 for a property located at 212 King Street East and Heritage Property Grant Application HG-011-2009 requesting approval to replace existing*

roof, capping, sides of dormers, removal of ladder, painting, installation of eavestrough and downspout, masonry repair of chimney on east side, repair and repointing of Earl Street wall, and alteration of existing triple window opening with details described within a submission filed March 19, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

Schedule Pages 86-130.

Mr. Vanderheyden, co-owner of the property was present for the discussion.

Members noted that exposed edges of galvanized steel can cause premature corrosion. Copper was also suggested.

The historical importance of retaining the roof ladder which was originally used for fire fighting purposes was noted. It was suggested that the ladder could be retained and hooked at the ridge and at the soffit.

Moved by Mr. Downey

Seconded by Mr. Cardwell

THAT Application P18-195-022-2009 for a property located at 212 King Street East requesting approval to replace existing roof, capping, sides of dormers, the removal of a ladder, painting, installation of eavestrough and downspout, masonry repair of chimney on east side, repair and repointing of Earl Street wall, and alteration of existing triple window opening **BE APPROVED** in accordance with a submission filed March 19, 2009 and deemed complete by the Cultural Services Department May 15, 2009,

- and further –

THAT the owner be strongly encouraged to retain the ladder on the roof originally provided for fire fighting purposes, and that in the event that the ladder must be removed, that a photographic record be made.

CARRIED

Moved by Mr. Downey

Seconded by Mr. Cardwell

THAT Application HG-011-2009 **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.

THAT Application HG-011-2009 for a property located at 212 King Street East **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 Application P18-112-035-2009 for a property located at 248 Division Street also known as Kelso Cottage and Heritage Property Grant Application HG-014-2009 requesting approval for the replacement of roof shingles on right side of dormer to the peak of the roof and dormer; parging of chimney, masonry repairs on south wall with details described within a submission filed April 6, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

Schedule Pages 131-144.

Ms. Kristin Colwell, owner, was present for the discussion. Ms. Colwell noted brick replacement through a previous application, and explained the proposed repairs, referencing advice that she had received advice that parging would be preferable to brick replacement. She noted that work on a porch was retracted from this application.

Mr. Letourneau read comments provided by Heritage Staff.

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

THAT Application P18-112-035-2009 for a property located at 248 Division Street also known as Kelso Cottage requesting approval for the replacement of roof shingles on right side of dormer to the peak of the roof and dormer; parging of chimney, and masonry repairs on south wall **BE APPROVED** in accordance with a submission filed April 6, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

CARRIED

Further clarification was provided regarding the chimney work.

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

THAT the following motion **BE RECONSIDERED** further to a clarification of information regarding the project:

THAT Application P18-112-035-2009 for a property located at 248 Division Street also known as Kelso Cottage requesting approval for the replacement of roof shingles on right side of dormer to the peak of the roof and dormer; parging of chimney, masonry repairs on south wall **BE APPROVED** in accordance with a submission filed April 6, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

CARRIED

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

THAT Application P18-112-035-2009 for a property located at 248 Division Street also known as Kelso Cottage requesting approval for the replacement of roof shingles on right side of dormer to the peak of the roof and dormer; parging of chimney **from the ground up**, and masonry repairs on south wall **BE APPROVED** in accordance with a submission filed April 6, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

CARRIED

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

THAT Application HG-014-2009 **BE PROVISIONALLY APPROVED** for all masonry work except the chimney 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 Application P18-308-041-2009 for a property located at 137 Queen Street also known as St. Paul's Anglican Church and Heritage Property Grant Application HG-016-2009 requesting approval for restoration of the stone wall along the west side of the property adjacent to Montreal Street, with details described within a submission filed May 4, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

These applications will be considered at 12:50 p.m.
Schedule Pages 145-191.

A revised submission regarding the budget for the restoration of the 1799 perimeter stone wall on the west side of the cemetery by The Lower Burial Ground Restoration Society, pertaining to the grant application, was received and is attached to the record.

Mr. Jonathan Rice, contractor for the project and Mr. Al Simpson, Warden, St. Paul's Anglican Church were present for the discussion.

Mr. Rice noted the project is being undertaken for this remarkable wall which has lasted since 1799 with little change. Work will be done with as little disturbance as possible. Mr. Rice explained that some stones out of the wall will not be useable, and will need to be replaced. The wall will be taken down to grade on the cemetery side to eliminate concerns regarding collapse when digging. A new concrete beam base will be buried in the ground, with a suggestion that a cap be poured on top of the wall. The wall will then be rebuilt to the height of the existing wall. As the stones were not matched, they will not need to be put back in the exact place they came from. The proper size of the wall will be determined by the cornerpiece.

It was queried whether the wall was taller at one time and similar to one on Sydenham Street in front of Hotel Dieu Hospital; this wall was recapped when lowered in order to keep the water out.

Capping was suggested for the wall, and it was noted that most jointing is flush. Photos will be taken and data collected prior to the work being done.

Mr. Letourneau noted that a proposal for an archaeological assessment was submitted 07th May which has not yet been completed.

Moved by Mr. Sims
Seconded by Mr. Downey

THAT Application P18-308-041-2009 for a property located at 137 Queen Street also known as St. Paul's Anglican Church requesting approval for restoration of the stone wall along the west side of the property adjacent to Montreal Street **BE APPROVED** in accordance with a submission filed May 04, 2009 and deemed complete by the Cultural Services Department May 15, 2009,

- and further –

THAT it be understood that if a stone cap is used, that it will have a drip on the underside, and that flashings be used throughout especially at the joints,

- and further –

THAT it is suggested that consideration be given to using a sheet metal cap in coated copper with usual drips and folded lap joints,

- and further –

THAT it be understood that requirements outlined by the Engineering Department be met to include that prior to the commencement of work, the applicant will be required to make application to the Engineering Department for an encroachment permit if the works require materials and equipment to be placed within the public right of way,

- and further –

THAT as the subject property demonstrates archaeological potential, the proponent undertake a Stage One Archaeological Assessment of the property (and any further archaeological assessments as deemed necessary) to the satisfaction of the Ministry of Culture and the heritage staff of the Planning and Development Department.

CARRIED

Moved by Mr. Downey
Seconded by Mr. Cardwell

THAT Application HG-016-2009 **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

Moved by Mr. Sims
Seconded by Mr. Downey

WHEREAS the wall at St. Paul's Church (Lower Burial Ground) at 137 Queen Street is one of the oldest structures in the City of Kingston, with parts of the wall dating to the 1790s; and,

WHEREAS the Lower Burial Ground is one of the oldest European burial grounds in the City, and is (it) the final resting place of many prominent Kingstonians and is important to the history of Canada; and,

WHEREAS a group of concerned citizens has formed the non-profit 'Lower Burial Ground Restoration Society' to spearhead efforts to restore the Lower Burial Ground; and,

WHEREAS this wall restoration project will be in excess of \$100,000; and

WHEREAS the Lower Burial Ground Restoration Society has requested a letter of support for this project from the City of Kingston in order that it may apply to various funding agencies;

THEREFORE BE IT RESOLVED THAT the Kingston Municipal Heritage Committee requests Council that the Mayor and the CAO, on behalf of the Corporation of the City of Kingston, be authorized to provide and sign a letter of support for the 'Lower Burial Ground Restoration Society' for their efforts to restore and maintain the wall at St. Paul's Church (Lower Burial Ground) at 137 Queen Street, an important site of Kingston's history.

CARRIED

- iv. Delegation regarding Application P18-359-042-2009 for a property located at 30 Sydenham Street and Heritage Property Grant Application HG-017-2009 requesting approval for the replacement of one attic west window, and replacement of bricks on south west rear addition wall and south west wall with details described within a submission filed May 4, 2009 and deemed complete by the Cultural Services Department May 15, 2009.

Schedule Pages 192-205.

It was noted that the owner had requested that the application be considered in his absence.

Mr. Letourneau said that the grant application doesn't meet the definition for eligible work.

Clarification was provided that one attic window was being considered, and that the work which will be done is the brick work around the other windows. It was noted that moisture goes up through the bricks on the sidewalk, and that a damp course of bricks will need to be installed.

A single glaze window would be eligible to be covered by the grant.

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

THAT Application P18-359-042-2009 for a property located at 30 Sydenham Street requesting approval for the replacement of one attic west window, and replacement of bricks on south west rear addition wall and south west wall **BE APPROVED** in accordance with a submission filed May 4, 2009 and deemed complete by the Cultural Services Department May 15, 2009,

- and further -

THAT it be understood that steps will be taken to stop the rising dampness.

CARRIED

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

THAT Application HG-017-2009 for a property located at 30 Sydenham Street **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 it be understood that the masonry work is approved with a condition that the damp course of bricks be installed as close to the grade as possible, and that the replacement of the attic west window and glass be identical to the existing window, and

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

F. Heritage Grant Applications Requesting Release of Funding

- i. Update regarding Heritage Property Grant Application HG-008-2007 for a property at 46 Sydenham Street requesting final approval for the restoration of a cast iron fence on Earl Street, fence sections and two posts and gates.

Schedule Pages 206.

A resolution of Council for provisional approval on 15th May 2007 was noted.

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

WHEREAS the owner of 46 Sydenham Street has requested final approval for Heritage Grant Application HG-008-2007, 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-008-2007 46 Sydenham Street **BE APPROVED** for the restoration of a cast iron fence on Earl Street, fence sections and two posts and gates ,

- 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

K. Technical Circulations

L. Motions

M. Other Matters

- i. Receipt of KMHC Member Resignation - Mr. Anthony Barlow

*Moved by Councillor Glover
Seconded by Mr. Duerkop*

THAT the Kingston Municipal Heritage Committee receive the resignation of Mr. Anthony Barlow and that a letter of appreciation be written to thank him for his contributions to the Committee.

CARRIED

ii. Awards

Councillor Glover noted that Mr. Bruce Downey had been honoured by the Frontenac Heritage Foundation for his work as the architect for the Market Square project.

Councillor Glover also referenced a project on Queen Street which had been recognized. He noted the way the Committee had been involved during several meetings in order to assist the applicant, and in particular the assistance of Mr. Bruce Downey and Mr. Tony Barlow. He said that the Frontenac Heritage Foundation had recognized the involvement of the Committee.

iii. Committee Teamwork

Further to Councillor Glover's comments above, he noted the teamwork regarding the Coat of Arms which began with Ms. Helen Finley. He extended thanks to Ms. Finley for her work.

iv. Possible Pecuniary Interest

Ms. Sypnowich recalled outstanding questions regarding the possible pecuniary interest matter. She referenced the information provided by Ms. Carolyn Downs, City Clerk, and further suggested that the City Solicitor could be invited to answer additional questions.

Mr. Gower said he would take this under advisement.

v. Outstanding Barriefield Matters

Some Barriefield matters which had been discussed previously were listed. It was recalled that an application for 418 Regent Street was withdrawn with an understanding that a new application could be submitted. A site visit had been suggested when the building was emptied.

OTHER BUSINESS:

UPCOMING EVENTS:

- i. June 10, 2009* – Ontario Heritage Trust - Unveiling of a provincial plaque commemorating Sydenham Public School, 5 Clergy Street East at 1:15 p.m.

Schedule Pages 207.

- ii. June 14 – 17 2009* – Our Living Rivers: the 6th Canadian River Heritage Conference, Government of Canada Conference Centre, Ottawa.

Schedule Pages 209-210.

- iii. 24 – 26 September 2009* – The Heritage Canada Foundation's Annual Conference.

CORRESPONDENCE/CIRCULATIONS:

A. Reports to/from Council

- i.* 04 May 2009 – Heritage Report No. 07 submitted to Council for consideration on 19 May 2009.
Schedule Pages 211-214.

B. Correspondence Sent as Information

Copies of the following correspondence were sent out from the Clerks' Department, and will be available at the meeting if a member wishes to review the full document:

Correspondence dated 22nd, April 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 – May 19th, 2009.

Correspondence dated 20th, May 2009 from Ms. Carolyn Downs, City Clerk to:

- i.* Mr. Howard and Vivian Stone – Approval for Heritage Property Tax refund – 223 King Street East.
- ii.* Mr. Michael & Martina Green, Kingston Municipal Heritage Application – 185 William Street
- iii.* Queen's University, Attention Mr. Mike Finn, Kingston Municipal Heritage Application – 9 Arch Street.
- iv.* Mr. Brian and Kim Mahoney, Kingston Municipal Heritage Application – 220 Green Bay Road.
- v.* Mr. Pierre & Julia DuPrey, Kingston Municipal Heritage Application – 248 Main Street, Barriefield Village.
- vi.* Mr. Lenke Szabo, Kingston Municipal Heritage Application – 250 Main Street, Barriefield Village.
- vii.* Mr. Paul Fay c/o Panadew Property Management, Kingston Municipal Heritage Application – 106-108 Clergy Street East.
- viii.* Mr. Jim Colden, Kingston Municipal Heritage Application – 192 Ontario Street.
- ix.* Ms. Elizabeth Cottage, Kingston Municipal Heritage Application – 251 Brock Street.
- x.* Mr. Michael & Martina Green, Kingston Municipal Heritage Application – 185 William Street.
- xi.* Mr. Ron Tasker and Bonnie Crook, Kingston Municipal Heritage Application – 149 Earl Street.
- xii.* Mr. Steve Antonopoulos & Katherine L. Hum-Antonopoulos, Kingston Municipal Heritage Application – 106 Montreal Street.
- xiii.* Ms. Janice Couch, Kingston Municipal Heritage Application – 247 Main Street Barriefield Village.
- xiv.* Mr. Ying Lee and Nicholas Woolley, Kingston Municipal Heritage Application – 76 Mowat Avenue.

C. Correspondence Received as Information

- i.* Ontario Heritage Trust dated May 15, 2009 regarding 2009 Recognition programs to include the Heritage Community Recognition Program, Young Heritage Leaders Program, and Community Leadership Program.

Schedule page 215.
Pamphlets available for viewing separately.

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 scheduled at 12:00 noon in the Council Chambers as follows, with the exception of the December meeting which will be held in the Councillors' Lounge:

- 06 July
- 10 August
- 14 September
- 05 October
- 02 November
- 07 December

ADJOURNMENT:

The meeting adjourned at 3:55 p.m.

