



**KINGSTON MUNICIPAL HERITAGE COMMITTEE (L.A.C.A.C.)
MINUTES**

**MEETING No. 2010-01
Monday 07 December 2009 at 12:00 noon*
in the Council Chambers, City Hall**

MEMBERS PRESENT

Mr. Peter Gower, Chair
Councillor Bill Glover
Mr. David Ariss
Mr. Robert Cardwell
Mr. John Coleman
Mr. John Duerkop
Mr. Michael Gemmell
Ms. Christine Synowich

REGRETS

Mr. R. Bruce Downey, Vice-Chair

STAFF PRESENT

Ms. Cynthia Beach, Commissioner, Sustainability & Growth
Ms. Sonya Bolton, Senior Policy Planner
Ms. Katrina Guy, Planner
Ms. Lanie Hurdle, Director, Recreation & Leisure Services
Mr. Marcus Letourneau, Heritage Planner
Ms. Cherie Mills, Manager, Planning & Development
Ms. Susan Powley, Committee Clerk
Ms. Marni Venditti, Manager, Planning & Development
Mr. George Wallace, Director, Planning & Development

OTHERS PRESENT

Ms. Helen Finley
Mr. Andrew Hill, Frontenac Heritage Foundation

THIS IS NOT A VERBATIM REPORT

MEETING TO ORDER:

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

ELECTION OF OFFICERS

Chair

Ms. Powley requested nominations for Chair.

*Moved by Mr. Duerkop
Seconded by Mr. Ariss*

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

CARRIED

Mr. Gower accepted the nomination.

*Moved by Councillor Glover
Seconded by Mr. Ariss*

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

CARRIED

Ms. Powley asked for nominations for Vice-Chair.

Vice-Chair

*Moved by Mr. Cardwell
Seconded by Councillor Glover*

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

CARRIED

Mr. Downey was absent from the meeting. Mr. Gower noted that he had indicated that he would accept a nomination.

*Moved by Councillor Glover
Seconded by Mr. Ariss*

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

CARRIED

RECOGNITION:

WELCOME and INTRODUCTIONS:

Mr. Don Taylor was welcomed as a new and returning member of the Committee

POSSIBLE PECUNIARY INTEREST:

None was declared.

CONFIRMATION OF AGENDA:

*Moved by Mr. Gemmell
Seconded by Mr. Duerkop*

***THAT** the agenda be confirmed as presented.*

CARRIED

CONFIRMATION OF MINUTES:

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

***THAT** the minutes of the Kingston Municipal Heritage Committee Meeting No. 2009-01 held on 02 November 2009 be confirmed with agreed to edits.*

CARRIED

DELEGATIONS:

There were none.

BRIEFINGS:

There were none.

UPDATES:

A. Planning & Development Department Staff

Updates were provided regarding:

a) Working Groups:

i. Historic Properties Research Working Group (David Ariss)

Ms. Finley reported that the group is currently working on properties to include 82 Beverley Street, Crerar Park and The Beamish House at 2203 Princess Street at Sydenham Road.

ii. Communications and Education Working Group (John Duerkop, Bob Cardwell, Peter Gower)

Mr. Gower noted that Mr. Cardwell had joined this group.

Mr. Duerkop advised that 2010 Ontario Street and Brock Street walking tours are near completion. He referenced a meeting held since the last KMHC meeting, and another meeting scheduled for Thursday 10th December. Mr. Barry Kaplan, Accessibility Co-ordinator has been invited to attend for a discussion regarding signage.

The 'Kingston Remembers' program was referenced. Mr. Duerkop said that it is not intended to immediately mark all 29 former hamlets within the City's boundaries.

Ms. Sypnowich suggested that Barriefield Village and important sites within the village should be marked.

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

There was no report.

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

There was no report.

b) Delegated Authority:

i. Application P18-465-004-2010 (DA) for a property located at 408 Regent Street requesting approval for repaving an existing driveway with details described within a submission filed November 12, 2009 and deemed complete by the Planning and Development Department November 12, 2009.

Schedule Pages 1-2.

Ms. Guy noted that staff approval had been granted for the work.

A query was noted regarding the repaving of the driveway.

c) Technical Circulations:

- i.* 271 Main Street, Barriefield Village requesting a Zoning By-Law Amendment

The zoning by-law amendment application for this property was noted.

d) Preliminary considerations for Designation:

Mr. Letourneau advised there are no new designations for consideration at this time.

Work is continuing for a designation at the Catarauqui Cemetery. 390 King Street East is currently under appeal.

e) Site Visits: Heritage Grant Applications Requesting Release of Funding

Site visits were noted for the following properties for which a release of funding will be considered later in the agenda:

- i.* 329 Division Street
ii. 106 Montreal Street
iii. 404 Regent Street

f) Grant and Tax Applications:

- i.* Status of grant monies

Mr. Letourneau reported that an update of the status of grant monies is pending.

g) Other:

- i.* 72 Princess Street – signage

Mr. Gower noted that enforcement in regard to the signage by-law has been assumed by the Building Department.

Ms. Guy advised that an application for this property is not yet complete.

To a suggestion that correspondence be directed to owners of the property, Mr. Letourneau responded that the owners have been contacted and they have indicated that the tenant can act as agent in regard to signage concerns.

- ii.* 2010 Budget

It was noted that the 2010 budget has been approved.

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

Updates will be provided regarding:

- i.* Heritage Plaque Presentations at Council on 03 November 2009.

A copy of the speech by Mr. Gower was attached to the agenda as Schedule Page 3.

Mr. Letourneau reported that all but six of the Heritage plaques have been installed.

Mr. Gower displayed a copy of the Heritage certificate, and noted presentations of the certificates to owners by Mayor Rosen at City Council.

ii. 246 - 248 James Street, Barriefield Village – relocation of military reserve boundary stone

Mr. Letourneau advised that he and Mr. Brash will attend the site to determine where the boundary stone will be relocated. Legal Services will then contact the owner regarding details of the relocation.

iii. 36 and 40 Simcoe Street – request for additional approval

Ms. Guy confirmed that an application has not been submitted for revised work at the properties. Mr. Gower noted that since an approval had been granted, the owner had agreed to follow alternate suggestions provided by the Committee at a previous meeting.

iv. Motion regarding a public meeting

It was confirmed that a motion from the November meeting requesting that staff be directed to hold a public meeting(s) regarding the Barriefield Heritage question before Council had been approved by Council.

Councillor Glover advised that he met with staff the week prior regarding the intent of the motion. He noted that two meetings have been projected for January; the first one is planned to be held in Memorial Hall with a variety of information stations set up. A second meeting will be arranged for comments to be received. Comments will also be welcomed through the City website.

v. Ontario Street signage

Schedule Pages 4-5.

There were no further comments regarding signage at 136 Ontario Street.

vi. 'The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) – Customer Service: What you Need to Know'.

Mr. Gower noted the pamphlet which was distributed to members and the required completion of the compliance form to be submitted to the Clerk.

iv. Circulations

Copies of circulations from Ontario Heritage Trust (Heritage Matters), the Frontenac Historic Foundation newsletter, CHO News and a relevant newspaper article were made available.

BUSINESS:

A. Reports

***i.* Proposed Renaming of Breakwater Park**

Recommendation Report of the Commissioner, Sustainability and Growth (KMH-10-001) was attached to the agenda.

Schedule Pages 6-8.

Ms. Lanie Hurdle, Director, Recreation and Leisure Services, provided an overview of the report.

Mr. Gower noted an amended motion by the Arts, Recreation and Community Policies Standing Committee at their meeting of 02 December 2009 in regard to the same report.

Councillor Glover referenced a discussion with Ms. Hurdle regarding the placement of a similar plaque to the one located in the Market Square which has pages which can be turned. The plaque can include local use as well as other historical significance.

To a question regarding historical inclusions, Councillor Glover advised that staff will work with experts in order to create a list.

*Moved by Councillor Glover
Seconded by Mr. Duerkop*

THAT the Council maintain the name Breakwater Park; and

THAT Council direct staff to work with the Kingston Historical Society to develop and erect a plaque, in accordance with the requirements of the Kingston Remembers program, which will recognize Lieutenant-Colonel John Bradstreet in Breakwater Park,

- and further -

THAT staff in consultation with suitable experts develop the Kingston Remembers Program to commemorate other locations of aboriginal and French historical importance.

CARRIED

B. Heritage Permit Applications Requesting Approval

1:00 p.m.

- i.* Delegation regarding Application P18-362-001-2010 for a property located at 82 Sydenham Street requesting approval for the removal of choir pews, wooden fences and screens from the front of the church sanctuary, risers under the pews, carpet and tile flooring from raised chancel area, and the installation of a level smooth subfloor, flooring to match the adjacent sanctuary floor, and storage of items removed with details described within a submission filed October 28, 2009 and deemed complete by the Planning and Development Department November 05, 2009.
Schedule Pages 9-23.

Mr. Jack Soule, Chair of the Congregation, and another representative were present to describe the application. It was noted that the changes would enhance performances at the church.

Mr. Gower noted that there would be one step up to the platform.

Mr. Letourneau verified that the word 'composite' on page 12 is verbatim wording from the designation by-law.

Mr. Soule confirmed that items being removed will be stored in the basement of the church. To a question regarding the number of pews being removed, Mr. Soule said that 3 pews on the left and right behind the pulpit will be taken out. He explained that there are wheels on the pulpit to allow for its movement.

Concern was expressed regarding changes being made to a beautiful part of the church. Mr. Soule explained that the area is not completely useable presently by performing groups. He noted that alternate avenues for contributions are necessary.

Mr. Letourneau highlighted recommendations provided on page 11 of the agenda.

*Moved by Councillor Glover
Seconded by Mr. Cardwell*

THAT Application P18-362-001-2010 for a property located at 82 Sydenham Street requesting approval for the removal of choir pews, wooden fences and screens from the front of the church sanctuary, risers under the pews, carpet and tile flooring from raised chancel area, and the

*installation of a level smooth subfloor, flooring to match the adjacent sanctuary floor, and storage of items removed **BE APPROVED** in accordance with details described within a submission filed October 28, 2009 and deemed complete by the Planning and Development Department November 05, 2009,*

- and further -

***THAT** it be understood that if any structural requirements are identified with regard to the floor leveling, a building permit will be required,*

- and further -

***THAT** the proponent take care to carefully remove and store choir pews and the wooden fences/screens from the front of the church sanctuary to allow for a return to the current conditions should the opportunity occur in the future.*

CARRIED

- ii. Delegation regarding Application P18-281-002-2010 for a property located at 508 Portsmouth Avenue requesting approval for a freestanding sign for Corrections Canada with details described within a submission filed October 27, 2009 and deemed complete by the Planning and Development Department November 05, 2009.

Schedule Pages 24-34.

To a question regarding consideration of the application at the Committee, it was clarified that the applicant requested that the application which is under federal jurisdiction be brought before the committee for advice. As a representative was not present it was agreed to defer the application.

Moved by Councillor Glover

Seconded by Mr. Gemmell

***THAT** Application P18-281-002-2010 for a property located at 508 Portsmouth Avenue requesting approval for a freestanding sign for Corrections Canada **BE DEFERRED** to the January 2010 meeting so that the applicants can be invited to attend the discussion.*

CARRIED

- iii. Delegation regarding Application P18-382-003-2010 for a property located at 18 Wellington Street requesting approval for repainting exterior elements of the house, sheds, the installation of new eavestroughing, and landscaping to include new fencing, patio, sheds, driveway and walkway with details described within a submission filed November 10, 2009 and deemed complete by the Planning and Development Department November 13, 2009.

Schedule Pages 35-51.

Ms. Bardana, owner, was present for the discussion.

To a question regarding the design of the fence, Ms. Bardana provided a diagram where a Victorian look was incorporated. She said that the fence could be the same off white colour as the porch.

It was suggested that the fence be toned down as much as possible, which could be achieved by painting it in a different way from the porch so the utilitarian aspect of the fence doesn't stand out.

Moved by Mr. Cardwell

Seconded by Councillor Glover

***THAT** Application P18-382-003-2010 for a property located at 18 Wellington Street requesting approval for repainting exterior elements of the house, sheds, the installation of new eavestroughing, and landscaping to include new fencing, patio, sheds, driveway and walkway **BE APPROVED** in accordance with details described within a submission filed November 10, 2009 and deemed complete by the Planning and Development Department November 13, 2009, with*

the understanding that the fence and shed be painted in a different way than the porch so as not to detract from the architectural element of the porch,

- and further -

THAT *in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted,*

- and further –

THAT *in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted,*

- and further -

THAT *the applicant be requested to ensure that the municipal walk be kept clean and clear of construction materials to ensure safe use by pedestrians,*

- and further -

THAT *any alteration to grading does not negatively impact adjacent properties.*

CARRIED

- iv. Delegation regarding Application P18-420-005-2010 for a property located at 215 Main Street, Barriefield Village requesting approval for the replacement of windows with details described within a submission filed November 19, 2009 and deemed complete by the Planning and Development Department November 25, 2009.

Schedule Pages 52-75.

Ms. Garvie, owner, was present to introduce the project.

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| It was agreed by members and the owner that a site visit would assist with this application. |
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*Moved by Mr. Cardwell
Seconded by Councillor Glover*

THAT *Application P18-420-005-2010 for a property located at 215 Main Street, Barriefield Village requesting approval for the replacement of windows **BE DEFERRED** to the January 2010 meeting to allow for a site visit and further discussion regarding possible repair and restoration of the existing window.*

CARRIED

- v. Delegation regarding Application P18-058-006-2010 for a property located at 34 Barrie Street requesting approval for the modification of a wood ramp and replacement of a concrete ramp with details described within a submission filed November 20, 2009 and deemed complete by the Planning and Development Department November 25, 2009.

Schedule Pages 76-89.

Mr. Adam Bondy, Project Manager, described the application. Mr. Bondy clarified that the door will stay in tact, and that the ramp will not go beyond the front of the house.

*Moved by Councillor Glover
Seconded by Mr. Taylor*

THAT Application P18-058-006-2010 for a property located at 34 Barrie Street requesting approval for the modification of a wood ramp and replacement of a concrete ramp **BE APPROVED** in accordance with details described within a submission filed November 20, 2009 and deemed complete by the Planning and Development Department November 25, 2009,
- and further -

THAT the ramp should be reversible to allow for a return to the original conditions in the future should the need for the structure be re-examined,
- and further -

THAT in the event that deeply buried or previously undiscovered archaeological deposits are discovered in the course of development or site alteration, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Culture (416-314-7123) and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted,
- and further -

THAT in the event that human remains are encountered, all work must immediately cease and the site must be secured. The Kingston Police (613-549-4660), the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Culture (416-314-7123), and the City of Kingston Heritage Planner (613-546-4291 ext 1386) must be immediately contacted,
- and further -

THAT signage should be provided at the Front Entrance and adjacent to the Barrier Free Path indicating the appropriate route,
- and further -

THAT it be understood that the proposed walk on the south side of 34 Barrie Street will be partially located within the City owned right of way. Though every effort is made when works are undertaken within the right of way by City forces and agents of the City to replace private walks there is no guarantee that the reinstatement of the sidewalk will be in the exact same form in the event of excavation of the area in question.

CARRIED

- vii. Delegation regarding Application P18-715-109-2009 for a property located at 271 Main Street, Barriefield Village requesting approval for development of a driveway for 271 and 273 Main Street described within a submission filed October 28, 2009 and deemed complete by the Planning and Development Department October 29, 2009.

A recommendation of KMHC 02 November 2009 to defer the application in order to allow staff to meet with the agent and landowner was referenced. The deferral would allow an opportunity for details and requirements to be met for this application which also relate to Application P18-716-104-2009 for building a house on a property located at 273 Main Street, Barriefield Village.

It was recognized that the 90 day timeline required for a decision to be made as established by the Ontario Heritage Act, would not be met if the Committee deferred the matter to the January meeting to make a decision for this application. As further information is required, it was recommended by staff that the applications be denied, and that through a reapplication process, three applications pertaining to the two properties can be considered at the same time.

*Moved by Councillor Glover
Seconded by Ms. Sypnowich*

THAT consideration of Application P18-715-109-2009 for a property located at 271 Main Street, Barriefield Village requesting approval for the development of a driveway for 271 and 273 Main Street **BE DENIED** with the understanding that the decision is made in accordance with procedural requirements as further information is required.

CARRIED

Note: It was learned after the meeting that the applicant had left a message for Heritage staff immediately prior to the meeting requesting the withdrawal of the application. It was determined that the above motion would be added to the January meeting agenda for reconsideration in order to accommodate the applicants request.

- viii. Delegation regarding Application P18-716-104-2009 for a property located at 273 Main Street, Barriefield Village requesting approval for building a new home with details described within a submission filed October 15, 2009 and deemed complete by the Planning and Development Department October 19, 2009.

Recommendation of KMHC 02 November 2009

THAT consideration of Application P18-716-104-2009 for a property located at 273 Main Street, Barriefield Village requesting approval for building a new home **BE DEFERRED** to the next meeting on December 07, 2009 with the understanding that plans, elevations and construction drawings, an outline of materials being used, viewscape from the water, a site plan providing details regarding existing trees and those which will be removed, and the location of the stone walls will be provided for consideration in conjunction with the guidelines within the Barriefield Heritage Conservation District Plan and the Ontario Municipal Board decision for this property.

A recommendation of KMHC 02 November 2009 to defer the application in order to receive details regarding the construction was referenced. The deferral was to allow an opportunity for details and requirements to be met for this application.

It was recognized that the 90 day timeline required for a decision to be made as established by the Ontario Heritage Act, would not be met if the Committee deferred the matter to the January meeting to make a decision for this application. As further information is required, it was recommended by staff that the applications be denied, and that through a reapplication process, three applications pertaining to the two properties can be considered at the same time.

*Moved by Councillor Glover
Seconded by Mr. Cardwell*

THAT consideration of Application P18-716-104-2009 for a property located at 273 Main Street, Barriefield Village requesting approval for building a new home **BE DENIED** with the understanding that the decision is made in accordance with procedural requirements as further information is required.

CARRIED

Note: It was learned after the meeting that the applicant had left a message for Heritage staff immediately prior to the meeting requesting the withdrawal of the application. It was determined that the above motion would be added to the January meeting agenda for reconsideration in order to accommodate the applicants request.

C. Heritage Permit Applications for Emergency Works requiring Reaffirmation

D. Pre-Consultation Requests

- i.* Delegation regarding PRE-KMHC-020-2010 for a property located at 10 Union Street also known as St. James Church to request advice regarding the removal of a skylight.

Schedule Page 90.

Mr. Jack Pyke, Mr. Brian Hope, Chair, Mr. Jim Peters, Member of the Board, and Ms. Sharon Dunlop, Warden were in attendance. Ms. Dunlop gave an overview of the work to be done. She noted that the skylight has been deteriorating over years and damage has been caused to interior ceilings, so approval is being sought to remove the skylight.

It was recognized that this is the second time the request has come before the Committee. It was further noted that in regard to the designation, the exterior appearance is more important than what is happening on the inside. It was queried whether the framework of the skylight would be retained even if the interior was replaced.

Mr. Pyke said that one proposal was the possibility of installing a roof under the skylight and putting the skylight back on to maintain the skylight appearance.

To a question by Mr. Pyke, Mr. Gower clarified the purpose of the pre-consultation process for advice. He further noted that within his report, Mr. Andre Scheinman had proposed that the present skylight be left and properly covered. This opinion was upheld by members.

Mr. Gower summarized three options to include the removal of the skylight, interior sealing of the skylight, and cladding over the present skylight.

Mr. Letourneau read the reasons for designation for the property where there was no reference to the skylight.

Mr. Pyke said they wished to remove the skylight noting ongoing costs of maintaining the skylight, which has been more expensive than maintaining a flat roof. The skylight hasn't lighted the hall for over 70 years and it is no longer necessary.

The unusual architectural feature has been recommended in the past to be conserved; however, concern was expressed regarding placing a facsimile there. It was requested that the existence of the feature should be well recorded in some way prior to removal and repair of the roof.

Regarding the possibility of covering the skylight and not removing it, Ms. Dunlop said that a membrane cover is temporary for winter until the outside work can be done. She said that they can't do work on the inside ceiling until the exterior is fixed. They don't wish to put a skylight over a skylight as a metal covering is still subject to deterioration.

It was suggested that a temporary membrane could be applied through an Emergency Approval process.

Mr. Pyke said they have respected the Heritage designation of the building, spending over 1 million dollars, much of which was for the restoration of the tower.

Mr. Letourneau advised that there would be no eligibility for grant funding for metal cladding the skylight as it is not a character defining element.

It was suggested that cladding in another way may allow eligibility as the configuration of the element is still there. It was noted that grant funding has been available in the past for elements which are not identified within a designation by-law.

Mr. Gower advised the applicant that the Planner could address any further questions.

- ii.* Delegation regarding PRE-KMHC-021-2010 for a property located at 252 Main Street, Barrieffield Village to request advice regarding the replacement of a porch on the front of the house.

Schedule Page 91.

Mr. and Mrs. Rosebery, owners of the property, were present for the discussion. Mr. Rosebery explained the proposed replacement of the porch. He noted that they appeared before the committee a year ago where a only a shutter was approved and not some other elements.

Mr. Gower read the minutes of October 2008.

Some concern was expressed regarding the bottom railing noting the importance of venting.

- iii. Delegation regarding PRE-KMHC-022-2010 for a property located at 103 Wellington Street to request advice regarding the addition of an exterior cellar access hatch and a skylight or dormer.
Schedule Pages 92-95.

Mr. John Thomas, agent for the owner, was present for the discussion. He clarified the construction of the entrance to the basement. It was suggested that beaded board could be used for the door. A traditional sympathetic cellar door with wooden doors that open up could be designed.

Regarding a proposed dormer, Mr. Thomas explained the positioning and that it would be at the back and out of sight.

To a question by Ms. Finley regarding a small window under the eaves in the back section, Mr. Thomas confirmed that it is still there and will remain. Ms. Finley confirmed that the current dormer is a newer element.

A proposed skylight on the rear wing was discussed. The pitch of the roof was recognized as not steep, and that there could be some difficulty to make it water tight. Mr. Thomas advised that they could ensure that it be made water tight and that it would be preferred to a dormer, but he had recognized there could be some concern regarding a skylight.

It was noted that there was no strong objection to a skylight.

E. Heritage Property Grant Applications

F. Heritage Grant Applications Requesting Release of Funding

- i. Update regarding Heritage Property Grant Application HG-18-2009 for a property at 329 Division Street requesting final approval for repointing of damaged and missing masonry fill.
Schedule Pages 96-98.

A resolution of Council 18 July 2006 to provisionally approve the work was referenced.

*Moved by Mr. Cardwell
Seconded by Councillor Glover*

WHEREAS the owner of 329 Division Street has requested final approval for Heritage Grant Application HG-18-2006, 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-18-2006 for 329 Division Street **BE APPROVED** for the costs of the work to be done for repointing of damaged and missing masonry fill,

- 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

- ii. Update regarding Heritage Property Grant Application HG-12-2009 for a property at 106 Montreal Street requesting final approval for the replacement of roof covering on main dwelling and rear single storey addition, and the installation of a metal cap over the southwest parapet.

Schedule Pages 99-100.

A resolution of Council 19 May 2009 to provisionally approve the work was referenced, noting that the replacement of the four skylights would be excluded from the eligible work.

*Moved by Mr. Cardwell
Seconded by Councillor Glover*

WHEREAS the owner of 106 Montreal Street has requested final approval for Heritage Grant Application HG-012-2009, 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-012-2009 for 106 Montreal Street **BE APPROVED** for the costs of the replacement of roof covering on main dwelling and rear single storey addition, and the installation of a metal cap over the southwest parapet ,

- 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

- iii. Update regarding Heritage Property Grant Application HG-003-2009 for a property at 404 Regent Street requesting final approval for the restoration of the front of the house with original window, porch posts and gingerbread detail.

Schedule Pages 101-105.

A resolution of Council 15 April 2008 to provisionally approve the work was referenced.

*Moved by Mr. Cardwell
Seconded by Councillor Glover*

WHEREAS the owner of 404 Regent Street has requested final approval for Heritage Grant Application HG-003-2007, 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-003-2007 for 404 Regent Street **BE APPROVED** for the costs of the restoration of the front of the house with original window, porch posts and gingerbread detail,

- 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

I. Property Designations

J. Technical Circulations

i. Technical Circulation D14-166-2009 regarding an amendment to the Zoning By-Law for 271 Main Street, Barriefield Village.

Schedule Pages 106-111.

Ms. Venditti described the application for an amendment to the zoning by-law, and noted that an application requesting approval for the development of a driveway for 271 and 273 Main Street was denied earlier in the meeting.

The location of the dry stone wall in relation to the driveway was queried, noting that it appears some of the wall would still be on the property at 271 Main Street. Concern was expressed regarding damage and removal of the wall.

Ms. Venditti clarified the concern regarding the wall, and the request by the Committee for an assurance that it is left intact

It was noted that these comments will be provided by Planning staff within the planning report.

It was further noted that the driveway could be placed to avoid the wall and that while the foundation extends quite a distance, the part of the wall which is standing should be protected.

K. Motions

Mr. Gower recognized the public who were present for consideration of this item, and read the motion.

Councillor Glover referenced a notice of intent at the last meeting to bring a motion forward regarding this matter. He referred to a discussion with Commissioner Beach and some changes which have since been made to the motion which was printed on the agenda. He noted the zoning amendment process which took place for the Prison for Women and that the same model could be used. He advised that he understood the zoning would need to await approval of a land sale.

To a question by Ms. Sypnowich regarding Barriefield Village in regard to the new Ontario Heritage Act, Mr. Wallace verified that monies have been budgeted to update the Heritage Conservation District Plan for Barriefield Village and the Market Square. He verified that it is preferable to update the District Plan and then update the zoning.

Ms. Beach distributed copies of the revised motion which included wording for clarification that takes into account the Heritage Conservation District Plan.

To questions by Mr. Cardwell, Mr. Wallace advised that the zoning runs with the land and when sold, amendments could be made to both the Official Plan and Zoning By-law. He provided further clarification, and noted that in the case of a sale of land, the institutional zoning would be carried through; where the Official Plan and Zoning By-law don't agree, they would be brought into conformity. He advised that Schedule 3 of the plan is zoned residential.

Councillor Glover expressed an understanding that the zoning of land can only be enhanced and not reduced in the case of lands being sold to a private developer. Starting the process would allow the rezoning to go with the property.

Mr. Gower clarified that the motion is specifically for Department of National Defence lands rather than school lands.

Mr. Duerkop highlighted an article in the Toronto Globe and Mail which noted that the program is moving slowly and could expire prior to monies being spent. He expressed concern if things change and move more quickly prior to an Official Plan change. Mr. Wallace responded that the Official Plan has been adopted by Council and a final decision is anticipated from the ministry on 04th January. The zoning will be a lengthy process to consolidate.

To a question by Ms. Sypnowich regarding a March start date, Ms. Beach responded that the updating of the plan would not be complete at that time, but a progress report could be given. Mr. Wallace said that it would take 12-18 months to complete the process.

To a concern by Ms. Sypnowich regarding the timing of work being done on the Heritage Conservation District Plan, Mr. Gower clarified that ongoing updates would be provided prior to the completion of the final report.

Councillor Glover noted that a complex multi-phase process is being initiated and the report would indicate decision points, expenditures of funds as well as possible concerns and options.

*Moved Councillor Glover
Seconded Mr Duerkop*

WHEREAS the Barriefield Heritage Conservation District Plan has not been reviewed since 1992,

THAT the Heritage Committee recommend to Council that staff be directed to review the zoning with respect to natural and cultural heritage on the Department of National Defence land in Barriefield,

- and further -

THAT should it be deemed desirable to amend the current zoning, that the process for doing so also be examined,

- and further -

THAT staff report back to the March meeting of the Heritage Committee on the zoning and Heritage District Plan recommendation,

- and further -

THAT the Planning Committee be advised of this direction to staff.

CARRIED

L. Other Matters

i. Facility Accessibility Design Standards

The Recommendation Report of the Commissioner, Sustainability and Growth (KMH-09-005) was distributed separately with the November 2009 KMHC agenda. The report and exhibit 'C' were posted City of Kingston Website as follows:

<http://www.cityofkingston.ca/cityhall/committees/lacac/agendas.asp>

Recommendation of KMHC 02 November 2009

THAT the City of Kingston Facility Accessibility Design Standards, attached as Exhibit 'C' to the Facility Accessibility Design Standards report, be presented to Council for approval.

Further to input received from the Municipal Accessibility Advisory Committee, modifications were made to the Facility Accessibility Design Standards (FADS). A discussion took place by Council on 17 November 2009, and the following proposed amendments to the FADS standards were deferred and referred to the Committee for further consideration:

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under "Design Requirements" – Included the words "as a minimum" at the end, so the section reads as follows: "for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum."
- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under "Design Requirements" on page 37 and to Figure 4.2.2.1 on page 36.

A memo and amended pages of the FADS document are attached as Schedule Pages 112-117.

Ms. Sonya Bolton, Senior Policy Planner, was present to explain the recommended changes to the report by the Administrative Policies Standing Committee.

To an observation by Mr. Ariss that the toilet stalls are much larger than requirements under the Ontario Building Code and National Building Code, Ms. Bolton advised that this is being developed as a guideline. The report identifies larger standards due to larger scooters. Research has been done with local companies, and while doors are slightly smaller, with the addition of hinges they meet the standard. She clarified that this standard has been identified for City owned buildings and the standard cannot be imposed on other buildings.

Ms. Beach noted that going with a larger door width in City Hall would require the elimination of fixtures which will affect capacity. She said that the existing washrooms pre-date the existing building code. She highlighted that there is language in the policy if standards can't be met.

To a concern by Mr. Cardwell that scooters have necessitated changes and a concern that the size of scooters could possibly increase in width, Ms. Bolton said they are writing the guidelines in accordance with today's standards, and that a review will be undertaken on a 3-5 year basis. She explained that this document will be reviewed sooner than that. She advised that a greater emphasis will be placed on the built standard.

Ms. Beach said that there is no regulation guiding the size of scooters, and that other municipalities have indicated that the onus regarding limitations should be on manufacturers. She noted that next year the Committee could provide responses to provincial standards.

Mr. Gower referred to the Committee's Accessibility Working Group which is currently in place.

*Moved by Mr. Cardwell
Seconded by Mr. Taylor*

WHEREAS the City of Kingston Facility Accessibility Design Standards, attached as Exhibit 'C' to the Facility Accessibility Design Standards report was approved by Council on November 17, 2009 with the exception of the following proposed amendments which were recommended by the Municipal Accessibility Advisory Committee,

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under "Design Requirements" – Included the words "as a minimum" at the end, so the section reads as follows: "for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum."
- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under "Design Requirements" on page 37 and to Figure 4.2.2.1 on page 36, and

WHEREAS the proposed amendments to the FADS standards were deferred and referred to the Kingston Municipal Heritage Committee for consideration,

THEREFORE IT IS RESOLVED THAT the following amendments to the policy be approved:

- Section 4.1.4 Accessible Routes, Paths & Corridors (FADS p. 14), seventh bullet point under "Design Requirements" – Included the words "as a minimum" at the end, so the section reads as follows: "for accessible exterior circulation routes, the existing municipal standard of 1500 mm may be used, as a minimum."
- Section 4.2.2 Toilet Stalls (FADS p. 36 and 37) – Changed the minimum clear opening (width) of the stall door from 900 mm to 950 mm. This change was applied to the sixth bullet point under "Design Requirements" on page 37 and to Figure 4.2.2.1 on page 36.

CARRIED

ii. **Notice of Technical Consent Application – 73 and 77 Alwington Avenue**

A copy of a Notice of Technical Consent Application is provided as information:

- Consent to a lot addition from 77 Alwington Avenue to 432 Union Street
- Consent to a lot addition from 73 Alwington Avenue to 432 Union Street
- Consent to a lot addition from 73 Alwington Avenue to 77 Alwington Avenue

Schedule Pages 118-126.

Mr. Gower clarified that the notices do not include 432 Union Street.

Mr. Letourneau advised that the focus is on character defining elements, and if there is nothing of value, it will be clearly articulated that 432 Union Street is not included.

Councillor Glover said he had received this notice in his Council package, and he queried whether any concerns had been raised by the Heritage section of the Planning Department.

Mr. Wallace confirmed that he was not aware of concerns or objections.

To a question by Councillor Glover, Mr. Letourneau said that a condition could be applied within the decision such as a statement of significance and updating designation by-laws pertaining to the properties.

Councillor Glover referenced the 77 Alwington Avenue property as a grand property which is now losing space around it. He queried the process of assessing what the appropriate space would be to let it stand in an easy manner on its grounds.

Mr. Letourneau explained that the original severance was approved, and that the proposal is to readjust the property line and that this is considered a technical consent. He said that the Designation Zoning By-law is the basis of an assessment of character defining elements.

To a comment by Ms. Finley that the severance was the subject of considerable neighbourhood concern, and a question regarding the posting of a notice had been posted, Ms. Venditti confirmed that notice has been posted.

OTHER BUSINESS:

i. **Updating the Barriefield Heritage Conservation District Plan**

A motion was brought forward by Ms. Sypnowich and Mr. Cardwell to urge staff to make the updating of the Barriefield Heritage Conservation District Plan a priority given the requirements of the Ontario Heritage Act.

Mr. Letourneau explained that major projects have been identified for the 2009/2010 budget and that the updating of the Barriefield Heritage Conservation District Plan was identified for 2011. Mr. Wallace added that priority was given to updating the Market Square Heritage Conservation District Plan in 2010 and the Barriefield Heritage Conservation District Plan was identified for updating in 2011. Mr. Wallace also noted budget implications.

It was recognized that the motion to Council may differ from the opinion of staff.

Councillor Glover expressed concern that a committee would suggest the establishment of a staff priority, and suggested that the recommendation highlight the urgency of work being done.

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

***THAT** the Kingston Municipal Heritage Committee urge staff to make the updating of the Barriefield Heritage Conservation District Plan a priority given the requirements of the Ontario Heritage Act.*

WITHDRAWN

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

***WHEREAS** the Ontario Heritage Act requires Heritage Conservation District Plans to be updated, and*

***WHEREAS** a review of the Barriefield Heritage Conservation District Plan has been scheduled for 2011, and*

***WHEREAS** the Barriefield Heritage Conservation District has changed significantly since the previous review in 1992,*

***THEREFORE IT IS RECOMMENDED THAT** the Kingston Municipal Heritage Committee request that Council give consideration to the urgency of updating the Barriefield Heritage Conservation District Plan.*

CARRIED

ii. **St. Mark's Church, Barriefield Village**

Concern was expressed regarding signage near Mark's Church.

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| Ms. Venditti advised that staff will follow up with the Licensing Department. |
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UPCOMING EVENTS:

2009 Heritage Conservation Speaker and Tour Series sponsored by the Frontenac Heritage Foundation beginning at 7:30 p.m.

- i.* **08th December** – Royal Canadian Horse Artillery, 193 Ontario Street – 226 King Street East restoration

CORRESPONDENCE/CIRCULATIONS:

A. Reports to/from Council

- i.* 02 November 2009 – Heritage Report No. 14 submitted to Council for consideration on 17th November 2009.

Schedule Pages 127-133

B. Correspondence Received as Information

- i.* George Wallace, Director, Planning & Development Department, Memorandum dated November 12, 2009 regarding, Facility Accessibility Design Standards (FADS).

Schedule Page 134.

- ii.* Honourable Lincoln M. Alexander, Chairman, Ontario Heritage Trust, correspondence dated November 6th, 2009 regarding, a new online resource - Ontario's Places of Worship.

Schedule Pages 135-136.

- iii.* Michael Chan, Minister, Ministry of Citizenship and Immigration, correspondence dated November, 2009 regarding, Ontario's volunteer recognition programs for 2010.

Schedule Page 137.

- iv.* William Glover, Councillor, Sydenham District, correspondence dated 27 November, 2009 regarding, City Hall Portrait Collection.

Schedule Pages 138-139.

C. Correspondence Sent as Information

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

Correspondence dated 4 November 2009 from Ms. Carolyn Downs, City Clerk to:

- i.* Excalibur Learning Resource Centre – Approval for Heritage Application 218 King Street East.
ii. Queens University – Approval for Heritage Application 390 King Street West.
iii. Bank of Montreal – Approval for Heritage Application 297 King Street East.
iv. Ms. Donna M. Ivey and Ms. Norma Kelly – Approval for Heritage Application 110 Rideau Street.
v. Carol Ann Curry – Approval for Heritage Application 404 Regent Street.
vi. Axion Development Corporation Limited – Approval for Heritage Application 16 Market Street also known as 37 Clarence Street.
vii. Dr. and Mrs. Henry Averbs – Approval for Heritage Application 151 Earl Street.
viii. Ms. Dijana Oliver – Approval for Heritage Application 128 Ontario Street.
ix. Ms. Dijana Oliver – Approval for Heritage Application 132-134-136 Ontario Street.
x. Ontario Heritage Trust, Sean Fraser, Team Leader, Conservation Services – City of Kingston – Municipal Heritage Committee (LACAC) Approvals –approvals, November 3, 2009.
xi. Mr. and Mrs. Peter G. Davy – Denied - Heritage Application 165 King Street East.

Correspondence dated 04 November 2009 from Mr. Peter Gower, Chair, Kingston Municipal Heritage Committee to:

- i.* Ms. Ashley Holder. – Application P18-715-104-2009 regarding 273 Main Street Barriefield Village.
ii. Mr. David Gay - Application P18-715-109-2009 regarding 271 Main Street, Barriefield Village.
iii. Ms. Rosemary Dobbin – Property located at 160 Earl Mozart Terrace (1867) regarding Heritage plaque certificate.
iv. 1576370 Ontario Limited – Property located at 232 King Street East (c.1812) regarding Heritage plaque certificate.

- v. Queen's University – Property located at 40 Sir John A Blvd, Prison for Women (1934) regarding Heritage plaque certificate.

Correspondence dated 20 November and 01 December 2009 from Mr. Peter Gower, Chair, Kingston Municipal Heritage Committee to:

- i. Mr. Craig Sims – regarding Resignation from the Kingston Municipal Heritage Committee.
ii. Hughes Downey Architects – Pre-Consultation PRE-KMHC-019-2009 regarding properties in Barriefield Village (Parts 1, 2, 3, on Plan 13R18296).

Correspondence dated 18 and 19 November 2009 from Ms. Carolyn Downs, City Clerk to:

- i. Ms. Cynthia Beach, Commissioner, Sustainability & Growth Group – Resolution was deferred regarding Facility Accessibility Design Standards.
ii. Paige Agnew, St Lawrence College, Associate Director of Capital Planning & Sustainability, Facility Management Services – Approval of Resolution for Notice of Intent to Update Designation By-Law for 889 King Street West (Newcourt House).
iii. 976653 Ontario Inc. – Approval of Resolution for Notice of Intent to Designate 2312 Princess Street (also known as Pleasant View).
iv. Ms. Marlene Young – Approval for Heritage Property Grant Application 70 Montreal Street.
v. Mr. and Mrs. Robert Cardwell – Approval for Heritage Property Grant Application 230 James Street, Barriefield.
vi. Queen's University – Approval for Heritage Application 390 King Street West.
vii. Ms. Dijana Oliver – Resolution was approved so therefore application P18-262-091-2009 was denied regarding 128 Ontario Street.
viii. Ms. Dijana Oliver – Resolution was approved so therefore application P18-263-092-2009 was denied regarding 134-136 Ontario Street.
ix. Ms. Dijana Oliver – Resolution was approved regarding 132-134-136 Ontario Street.
x. Ms. Dijana Oliver – Resolution was approved so therefore application P18-262-091-2009 was denied regarding 128 Ontario Street.
xi. Cynthia Beach, Commissioner, Sustainability & Growth Group – Approval for Heritage Application 80 Gore Street (also known as 914 Highway 15).
xii. Cynthia Beach, Commissioner, Sustainability & Growth Group – Approval of Public Meeting- Barriefield Heritage Matter.
xiii. Mr. Jeff Whan– Approval for Heritage Application 272 Johnson Street.
xiv. Cynthia Beach, Commissioner, Sustainability & Growth Group – Approval of Resolution for Notice of Intent to Designate Denyes Monument – South side of Princess Street (Formerly Hwy. 2 West) at Bayridge Drive.
xv. Cynthia Beach, Commissioner, Sustainability & Growth Group – Approval of Resolution for Notice of Intent to Designate 216 Ontario Street (Interior of Kingston City Hall National Historic Site).

DOCUMENTS:

- i. The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) – Customer Service: What you Need to Know.

A copy of the document will be distributed separately.

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>

vi. Archaeological Master Plan: <http://www.cityofkingston.ca/residents/culture/heritage/archaeology/>

NEXT MEETING DATES:

The following meetings for 2010 are scheduled at 12:00 noon in the Council Chambers:

- | | |
|---------------|----------------|
| • 11 January | • 05 July |
| • 01 February | • 09 August |
| • 08 March | • 13 September |
| • 12 April | • 04 October |
| • 10 May | • 01 November |
| • 07 June | • 06 December |

ADJOURNMENT:

The meeting adjourned at 3:55 p.m.

