TO: Chair and Members of Municipal Heritage Committee
FROM: Lanie Hurdle, Commissioner, Community Services
RESOURCE STAFF: Sheldon Laidman, Director, Housing
DATE OF MEETING: November 5, 2012
SUBJECT: Proposed Declaration of Surplus Property at 610 Montreal Street

EXECUTIVE SUMMARY:

The subject property located at 610 Montreal Street, known locally as the Depot Building, is a 0.60 acre property with a two storey limestone and concrete block building as well as a 570 sq ft wood storage shed/carport. On July 19, 2011 Council approved of the necessary due diligence investigations and studies being undertaken to determine the feasibility of 610 Montreal Street for future office uses by the Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston). A review has been undertaken and it has been determined that there are no current internal operational or mandated uses for this property.

The property was designated as a building of local heritage significance under Part IV of the Ontario Heritage Act in September 1976 (Bylaw 8913). The City’s “Policy on the Sale and Acquisition of Land” includes a clause that staff are to consult with the Municipal Heritage Committee in regards to any designated or listed property being considered for declaration as surplus and before any action is taken will consult with the Municipal Heritage Committee regarding the future of the property.

RECOMMENDATION:

THAT the Municipal Heritage Committee confirms that the declaration of 610 Montreal Street as surplus to municipal needs is appropriate, and meets the requirement of consultation with the Committee as required in the City’s “Policy on the Sale and Acquisition of Land”.
AUTHORIZING SIGNATURES:

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<th>ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER</th>
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<td>Gerard Hunt, Chief Administrative Officer</td>
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CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

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<th>Cynthia Beach, P.Eng, MCIP, RPP, Sustainability &amp; Growth</th>
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<td>Denis Leger, Transportation, Properties &amp; Emergency Services</td>
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<td>Jim Keech, President and CEO, Utilities Kingston</td>
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OPTIONS/DISCUSSION:

Kingston Municipal Non-Profit Housing Corporation (Town Homes Kingston) approached City staff in 2010 to inquire about the possibility of making City lands available for its affordable housing development. Three properties were considered at that time with 610 Montreal Street being recommended for further investigation. The intent would be to relocate the Town Homes Kingston administrative offices currently located at 37 Cassidy Street to this site. Town Homes Kingston anticipates that the relocation of their offices will allow better access for tenants from all the properties in their portfolio to access services and will provide a safer environment for these tenants accessing their offices. The relocation of the office space would result in their current offices being converted into one new three bedroom residential unit while also allowing the expansion of an adjacent one bedroom unit. Council previously approved a grant of $35,000 from the Affordable Housing Construction Reserve to help cover the costs of converting the office space to residential units. Housing Department staff will be working with Town Homes Kingston to determine the long term status of this new unit with regard to its depth of affordability and the amount of subsidy to be given to the unit.

In July 2011, Council directed staff to undertake appropriate investigations to determine the feasibility of Town Homes Kingston using 610 Montreal Street (known as the Depot Building) for the relocation of their offices. The subject property is a 0.60 acre property with a 2 storey limestone and concrete block building as well as a 570 sq ft shed/carport. The property is accessed via Railway Street.

In order to sell this property, Council must first pass a by-law to declare the land surplus. The Real Estate and Construction Services Department has undertaken to survey City departments and has determined that there are no anticipated operational or mandated municipal uses for this property. The property was most recently used by the Engineering Department – Traffic Division; however, staff have vacated the property and have been relocated to 141 Railway Street, located beside the new Public Works building.

The property is designated as 'Residential' in the Official Plan and zoned Industrial ‘M6’ in Zoning By-Law No. 8499. An office use is not a permitted use in either the Official Plan land use designation or ‘M6’ Zone applied to this property. The City office use was in compliance because it is interpreted as a ‘public use’ in the Zoning By-Law, which is a permitted use in all zones. The use of the property by Town Homes Kingston will also be in compliance because it too can be interpreted as continued “public use” in the Zoning Bylaw.

The property was designated as a building of local heritage significance under Part IV of the Ontario Heritage Act in September 1976. The structure, also referred to as the Depot School Day Care Centre, was constructed in 1872-1873 and the architect was thought to be John Power. A number of exterior features were noted in the designation by-law, including the windows, and as such, any alteration to the exterior of the building would need to be further reviewed by the Municipal Heritage Committee. No changes to the heritage elements of the property or building are anticipated at this time.
From a heritage perspective, there would be two requirements in the transfer of this property. The first would be an updated designation by-law, which should refer to heritage attributes in order to comply with the provisions of the Ontario Heritage Act. The second requirement, which is something that the Official Plan requires, is the need for an easement. Section 7.2.1 c) of the Plan states: "...in the event that the ownership status of a City-owned cultural heritage resource changes, the City must enter into an easement agreement with the new owner or lessee to ensure that the continuous care of, and public access to, these resources are maintained." The terms of this easement need to be agreed to, but on an initial basis, the easement should require maintenance of the structure, and that no further development takes place on the property.

EXISTING POLICY/BY LAW:
The City’s “Policy on the Sale and Acquisition of Land,” as outlined in Report No. AP-06-016, requires that prior to selling land, Council must declare the property surplus to its needs and give notice to the public of its intention to sell the land. The policy identifies Council’s “Housing First” policy to make suitable surplus lands available for acquisition by affordable housing providers. Furthermore, the policy requires that the Municipal Heritage Committee be consulted prior to the City selling any property of heritage significance.

The full text of Clause 7 of Report No. AP-06-16 is as follows:

7. Staff will consult with the Kingston Municipal Heritage Committee in regards to any designated or listed property being considered for declaration as surplus, and, before any action is taken, will consult with Kingston Municipal Heritage Committee regarding the future of the property. Protective measures, over and above designation, may include easements and long term leases and rezoning, as well as opportunities for restoration and adaptive re-use;

The City’s Strategic Plan is supported by numerous policies related to the Council priority of facilitating affordable housing which will be accomplished through this agreement:

4.1 Facilitate the creation of affordable, sustainable and social housing;
4.2 Change policies and by-laws to enable an increase in the supply of affordable housing;
4.3 Develop land banks for municipal contributions for the development of affordable housing.

NOTICE PROVISIONS:
Public notice of Council’s intent to declare the property surplus will be provided in accordance with Council’s policies and procedures.

ACCESSIBILITY CONSIDERATIONS:
Alternative formats of this report and the exhibits are available on request.
FINANCIAL CONSIDERATIONS:
N/A

CONTACTS:
Lanie Hurdle, Commissioner, Community Services    613 546-4291 ext. 1231

OTHER CITY OF KINGSTON STAFF CONSULTED:
Sheldon Laidman, Director, Housing Department
Shirley Bailey, Manager, Heritage and Urban Design
Grant Bain, Director, Planning and Development
Peter Huigenbos, Acting Director, Real Estate & Construction Services
Kathy Gray, Property Specialist

EXHIBITS ATTACHED:
Exhibit ‘A’  Location of Subject Property
Exhibit ‘B’  By-Law 8913 To Declare the Depot Day Care Centre to be of Historic Interest
BY-LAW NO. 8913

A BY-LAW TO DESIGNATE THE GRAND TRUNK RAILWAY TERRACE AND THE DEPOT SCHOOL DAY CARE CENTRE TO BE OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST

PASSED: September 13th, 1976.

WHEREAS Section 29 of The Ontario Heritage Act, 1974, provides that the Council of a municipality may, by by-law, designate a property within the municipality to be of historic or architectural value or interest; AND WHEREAS notice of intention to designate the Grand Trunk Railway Terrace was served on the owner of the property and The Ontario Heritage Foundation on July 20th, 1976, and was published in the Whig-Standard on July 20th, 27 and August 3rd, 1976; AND WHEREAS notice of intention to designate the Depot School Day Care Centre was served on the owner of the property and The Ontario Heritage Foundation on July 28th, 1976, and was published in the Whig-Standard on July 28th, August 4th and 11th, 1976; AND WHEREAS no objections were received against the designation of the Grand Trunk Railway Terrace and the Depot School Day Care Centre as a result of the aforementioned notices;

THEREFORE the Council of the Corporation of the City of Kingston enacts as follows:

1. That the following properties be and are hereby designated to be of historic or architectural value or interest:

(1) GRAND TRUNK RAILWAY TERRACE - 1-3-5 Cassidy Street

Built: c.1854

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston and County of Frontenac, and being more particularly described as Part of Lot 5 (sometimes referred to as Lot 7) in the Concession West of the Great Cataraqui River, as described in Instrument #72415.

Owner: St. Lawrence Youth Association
(1) GRAND TRUNK RAILWAY TERRACE - 1-3-5 Cassidy Street (cont'd)

Reason for Designation:

Significance: The Grand Trunk Railway bought the property for the railway line and Kingston station in 1854 just before construction began. Although the line in this area was finished that year, passengers to Montreal still took a stage-coach or carriage to Brockville until the official opening in 1856 of the railway between Montreal and Toronto. Kingston, as the half-way mark, was a major station where the trains stopped so that passengers could "refresh the inner man" at the new hotels near the station.

This terrace, just north of the tracks, was built by the Grand Trunk soon after the completion of the line in the Kingston area. Originally designed as seven dwellings, it was housing for railway employees and their families.

The Grand Trunk sold the terrace to an employee, Mr. Coté, in 1921. He converted the seven sections into a triplex and inserted a grand staircase in the larger centre section. In 1972, Mrs. Coté sold the property to E. Phipps-Walker who undertook extensive renovations.

This two-storey, nine-bay, hammer-dressed stone terrace has its facade broken up by a central three-bay projection. In the centre bay of this projection is an entranceway; directly above its square-headed transom is a large ashlar block with a central bevelled band, another ashlar block, corbelled over the first one and an entablature type portico, flat roofed, at the top, which is supported by large end consoles. It is entirely done in ashlar stone. In the bay above the entranceway is a blind window. In the flanking bays on the first storey are pairs of thin windows; the sash have two by four lights; in the second storey the sash have two by three. There are also windows immediately to either side of the door and the blind window; they have three by four on the first and three by three on the second.
(1) GRAND TRUNK RAILWAY TERRACE - 1-3-5 Cassidy Street (cont'd)

Reason for Designation: (cont'd)

There are gable end parapets on this central section with heavily moulded ashlar corbel stones and circle corbelled stone end chimneys.

In the flanking sections the extreme inner bay has a door, the central bay a pair of windows and the extreme outer bay has one window, although it appears to have originally been a door. The second storey is blank except for a pair of windows in the central bay. The sash have three by three lights on the second storey and three by four on the first.

All the corners of the facade have quoining and all the window surrounds are quoin'd; all the lintels are bevelled with ashlar band borders. The windows that are in pairs are separated by a single vertical block of stone. The base course has an ashlar band border at the top and all the courses below it are projected. On either flanking gable end is a corbelled stone chimney, smaller than the two central ones. There is an ashlar sill course around the entire building. The end walls are blank.

There are three doors in the rear wall, all recessed and a slightly irregular pattern of fenestration. There are eight windows on the second and nine on the first; of these latter three appear to have been intended for doors since the quoin'd surrounds continue below the sill right to the base course. All of the window surrounds are the same as those on the facade.

There are three modern windows on the second storey which lead onto metal fire escapes, the others on that storey have three by three lights; the ones on the first have three by four lights.

This plain stone terrace is somewhat dignified by the central projection - a common feature for late Georgian terraces - and the embellished entranceway that includes Greek Revival consoles.

The facade's well-balanced arrangement of fenestration and doors has been left untouched throughout the years.

(2) DEPOT SCHOOL DAY CARE CENTRE - 610 Montreal Street

Built: 1872-73

Architect: John Power

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston and County of Frontenac, and being more particularly described as Lot 198, Registered Plan C-22, as described in Instrument #196423.

Owner: The Corporation of the City of Kingston
Reason for Designation:

Significance: From the time the Grand Trunk Railway came to Kingston (1854) the inhabitants of the Kingston station area petitioned the Kingston Public School Board for a school. One finally opened in an empty freight shed in 1864 with fifty students and one teacher. Conditions were not ideal and repeated requests resulted in this small school being erected in 1872-73.

The property was obtained from John Frazer and John Duff and the Board requested John Power to submit plans. He did so in the summer of 1872 and construction began under Isaac Newlands, mason. Plans were slightly changed in the spring of 1873 before the upper storey was completed to include an apartment for a caretaker.

Miss Harriet Keys was the first teacher when the school opened in August, 1873, with a salary of $200. per annum. Then known as Frontenac School, its name was changed to the Depot School after 1896 when the present Frontenac School was built. The City of Kingston obtained the property in 1970 from the Frontenac County School Board and now operates a Day Care Centre here.

This two-storey, three bay, hammer-dressed stone building with flush quoining has a central six-panelled door whose transom is decorated with an ashlar hood mould with keystones and label-stops.

The transom and all the windows on the facade are round-headed; all the windows in the building appear to have their original sash.

The north and south walls are both regularly fenestrated with twelve paneled double-hung sashes; the central window on the first storey of the north wall is blocked; the west bay of this same wall contains a doorway.
(2) DEPOT SCHOOL DAY CARE CENTRE – 610 Montreal Street (cont’d)

Reason for Designation: (cont’d)

The west wall is covered by a two-storey, shallow, gabled concrete addition.

The roof has its gable end over the facade and there is a brick chimney at the west end.

This vernacular styled building has the traditional Georgian plan facade, adapted to a gable end wall – after the Gothic Revival fashion – with a strong presence of Italianate windows.

This by-law shall come into force and take effect on its passing.

GIVEN THREE READINGS AND FINALLY PASSED the 13th day of September, 1976.

DEPUTY CITY CLERK

MAYOR