



**City of Kingston
Report to Planning Committee
Report Number PC-15-104**

To: Chair and Members of Planning Committee
From: Lanie Hurdle, Commissioner, Community Services
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: September 3, 2015
Subject: Public Meeting Report
File Number D14-130-2015
241 University Avenue
Application for Zoning By-Law Amendment
Applicant – Raymond Mak

Executive Summary:

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by FOTENN Consultants Inc. on behalf of Raymond Mak with respect to a property located at 241 University Ave. This report describes the purpose and effect of the requested zoning by-law amendment and includes an overview of the relevant policies and regulations that apply to the subject property.

The applicant is requesting permission to rezone the subject property to permit a new multi-unit residential building. The applicant is proposing to demolish the existing building and construct a new, three storey residential building with four (4) units, fourteen (14) bedrooms, three (3) parking spaces, and 193.5 square metres of amenity space. The first through third floors will contain four-bedroom units and the basement, which is 50% above grade, will contain a two-bedroom unit. The applicant is proposing to reduce the required number of parking spaces from four (4) to three (3). Access to parking is proposed via an existing right-of-way over the property immediately to the south of the subject property. The applicant is also requesting to reduce the required amenity area to 193.5 square metres and increase the proposed density to 114 units per net hectare. Additional zoning relief is requested to permit the development of the multi-unit residential structure including: relief for parking, amenity area, play space, density, yards, front yard projections, lot coverage and floor space index.

The subject property is designated 'Residential' in the City of Kingston Official Plan and is located within the Special Education and Medical Uses 'E' Zone of Zoning By-Law Number 8499.

September 3, 2015

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The applicant is requesting an amendment to Zoning By-Law Number 8499 to permit the proposed use and to seek relief from various zoning requirements.

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER
Lanie Hurdle, Commissioner, Community Services

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER
Gerard Hunt, Chief Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Cynthia Beach, Corporate & Strategic Initiatives	Not required
Denis Leger, Transportation, Facilities & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

September 3, 2015

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Options/Discussion:

This report provides information on a proposed amendment to Zoning By-Law Number 8499 that is the subject of this Public Meeting.

On June 22, 2015, a zoning by-law amendment application was submitted by FOTENN Consultants Inc., on behalf of Raymond Mak, with respect to a property located at 241 University Avenue for the purpose of amending the existing Special Education and Medical Uses 'E' Zone in Zoning By-Law Number 8499, to permit the demolition of the existing single-detached dwelling and the construction of a new four (4) unit multiple residential building. The proposed building will be three (3) storeys, with a basement that will be 50% above grade. The applicant is proposing a total of four (4) units with a total of 14 bedrooms. The first through third floors will each contain a four-bedroom unit and the basement will contain a two-bedroom unit.

In accordance with By-Law Number 2007-43, a pre-application meeting between the applicant and various departments and agencies was conducted on May 27, 2014. On July 14, 2015, the zoning by-law amendment application was deemed complete, in accordance with the *Planning Act*.

The subject property is located at 241 University Avenue within the University District (Exhibit A - Key Map). The subject property is surrounded by residential properties (Exhibit B - Aerial Photograph). The subject property has an area of approximately 350 square metres with 10 metres of frontage on University Avenue. The subject property currently contains a two storey single detached dwelling (circa 1873) that contains one residential unit with five bedrooms. The building located on the subject property is not listed or designated under Part IV of the Ontario Heritage Act but is adjacent to structures that are designated. The subject property, as well as a number of properties in proximity, is on the City's Master List of properties of potential cultural heritage value and interest.

The subject property is designated 'Residential' in the City of Kingston Official Plan (Exhibit C - Official Plan Designation) and is located in the Special Education and Medical Uses 'E' Zone of Zoning By-Law Number 8499 (Exhibit D - Existing Zoning).

The applicant is requesting an amendment to Zoning By-Law Number 8499 to permit a multiple family dwelling. As well, the applicant will be seeking relief for parking, amenity area, play space, density, yards, front yard projections, lot coverage and floor space index.

In support of the application, the applicant has submitted the following:

- Planning Justification
- Parking Assessment
- Servicing and Stormwater Management Report
- Site Plan
- Floor Plans and Architectural Elevations
- Archaeological Assessment – Stage 1 and 2
- Heritage Impact Statement
- Addendum to Heritage Impact Statement
- Servicing and Grading Plan

September 3, 2015

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Anyone who attends the Planning Committee Public Meeting may present an oral submission, and/or provide a written submission on the proposed amendment. Also, any person may make written submissions at any time before City Council makes a decision on the application.

If a person or public body does not make oral submissions at a Public Meeting or make written submissions to the City of Kingston before the application is approved, the person or public body is not entitled to appeal the decision of the City of Kingston to the Ontario Municipal Board. If a person or public body does not make oral submissions at a Public Meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Anyone wishing to be notified of Council's decision on the subject amendment must submit a written request to:

Tony Gkotsis, Intermediate Planner
The Corporation of the City of Kingston
216 Ontario Street
Kingston, Ontario, K7L 2Z3

The Planning Committee will consider a comprehensive report and recommendation from the Planning Division, respecting the subject application, at a future meeting. The Committee will make its recommendation to City Council at that meeting. The decision of City Council will be final unless appealed.

All persons who made oral or written submissions, or have requested notification in writing, will be given written notice of future meeting(s) of the Planning Committee at which the subject application will be considered.

Existing Policy/By-Law:

Official Plan

The subject property is designated 'Residential' in the City of Kingston Official Plan (Exhibit C – Existing Official Plan Designation). The predominant use of land within the 'Residential' designation is various forms of housing including: detached, semi-detached or duplex dwellings, townhouses and apartments. In addition to the various forms of housing, community facilities such as schools and places of worship are also permitted. Small-scale, convenience commercial uses, which support residential neighbourhoods and are compatible with the residential setting, may also be permitted in the designation. Therefore, the purpose and intent of the 'Residential' designation of the Official Plan is maintained and an amendment to the Official Plan is not required.

Zoning

The subject property is located in the Special Education and Medical Use 'E' Zone in the City of Kingston Zoning By-Law Number 8499, as amended (Exhibit D – Existing Zoning). The Special Education and Medical Use zone permits university and college uses, hospitals, parking lots related to Queen's University or Kingston Health Sciences Complex, one-family and two-family dwellings subject to the provisions of the 'A' zone, buildings owned, rented or operated by members of the Science '44 Co-operative Incorporated or the Alma Matter Society subject to the

September 3, 2015

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provisions of the 'B' Zone, as well as some community uses. The applicant is seeking an amendment to permit a multi-unit residential use. Additional zoning relief is being requested to some regulatory provisions including: relief for parking, amenity area, play space, density, yards, front yard projections, lot coverage and floor space index.

Notice Provisions:

Pursuant to the requirements of the *Planning Act*, a notice of the statutory Public Meeting was provided by advertisement in the form of signs posted on the subject site 20 days in advance of the Public Meeting. In addition, prepaid first class mail was sent to approximately 173 property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was placed in *The Kingston Whig-Standard*.

Accessibility Considerations:

Not applicable

Financial Considerations:

Not applicable

Contacts:

Paige Agnew, Director, Planning, Building & Licensing 613-546-4291 extension 3252

Julie Salter-Keane, Manager, Development Approvals 613-546-4291 extension 1163

Tony Gkotsis, Intermediate Planner, Development Approvals 613-546-4291 extension 3188

Other City of Kingston Staff Consulted:

The application was circulated to the relevant internal departments and external agencies for review and comment. The responses to the technical will be addressed in the technical review and included within the future comprehensive report.

Exhibits Attached:

Exhibit A Key Map

Exhibit B Aerial Photograph

Exhibit C Existing Official Plan Designation

Exhibit D Existing Zoning

Exhibit E Conceptual Site Plan, Floor Plans and Architectural Elevations

Exhibit F Planning Justification Report

Exhibit G Heritage Impact Statement and Addendum to Heritage Impact Statement

DETAIL



KEY MAP

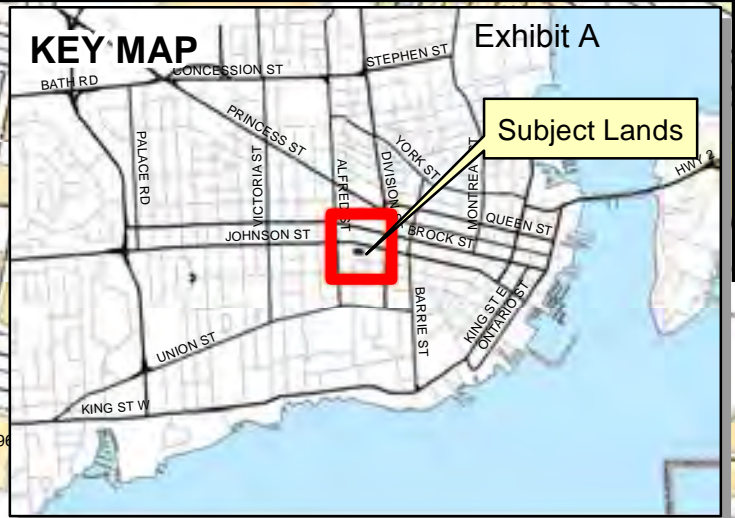


Exhibit A

Subject Lands




Planning, Building & Licensing Services
a department of Community Services

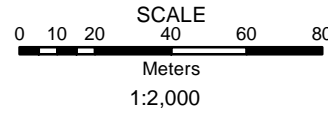
THE CORPORATION OF THE CITY OF KINGSTON

KEY MAP

Applicant: Raymond Mak
 File Number: D14-130-2015
 Address: 241 University Avenue
 Legal Description: PT ABSTRACT BLOCK 01 PT MRS;NUGENT LOT RP 13R8808 PART 1;35.0 FR X I RREG
 ARN: 101102010010800000

Legend

 Subject Lands



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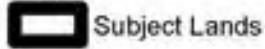


THE CORPORATION OF THE CITY OF KINGSTON

Aerial Imagery (2014)

Applicant: Raymond Mak
 File Number: D14-130-2015
 Address: 241 University Avenue
 Legal Description: PT ABSTRACT BLOCK 01 PT
 MRS;NUGENT LOT RP 13R8808 PART 1;35.0 FR X I
 RREG
 ARN: 1011020100108000000

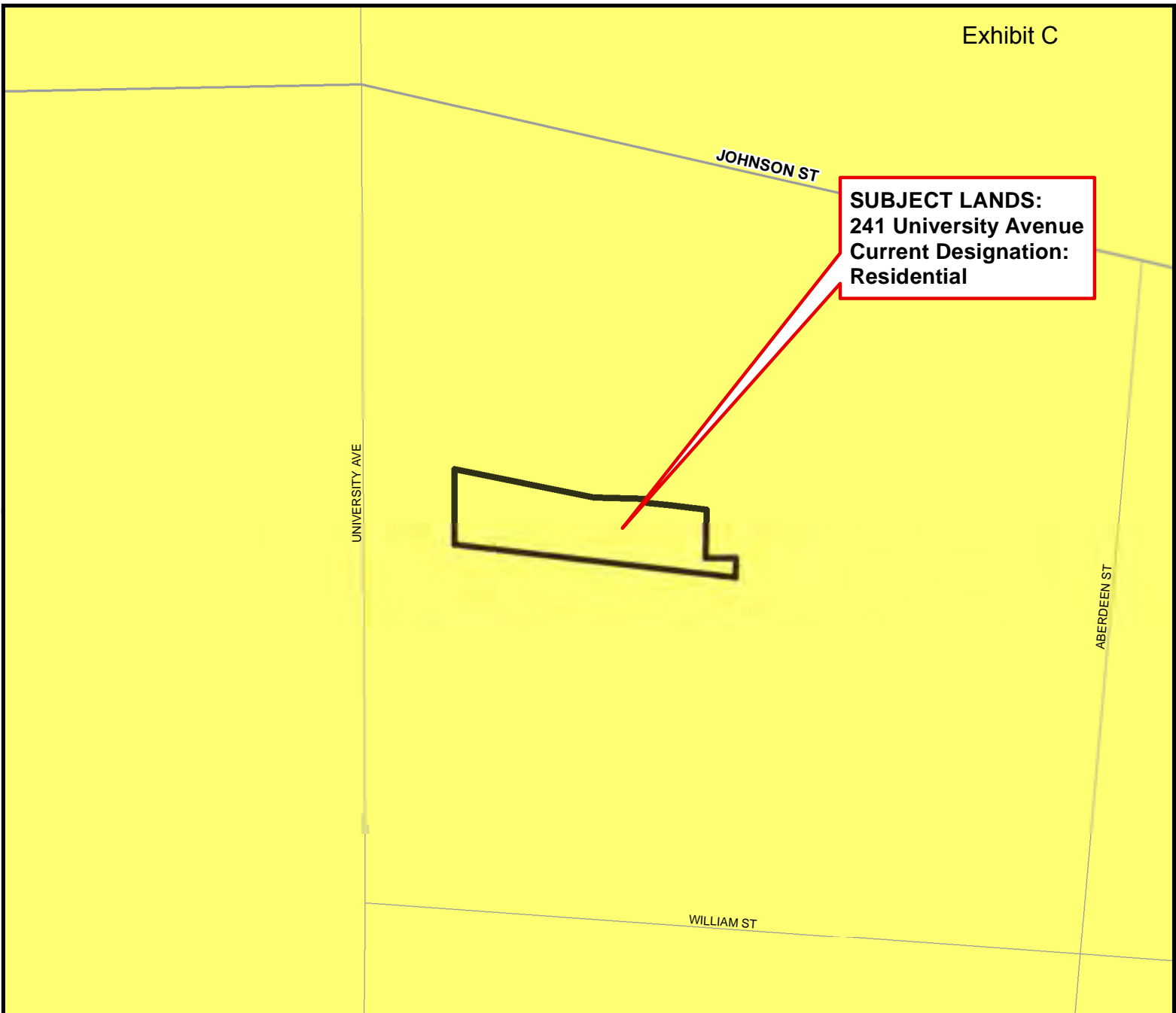
Legend



























Subject Lands



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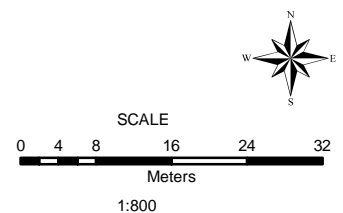
LEGEND

 RESIDENTIAL	 CENTRAL BUSINESS DISTRICT	 AGRICULTURAL LAND	 ENVIRONMENTAL PROTECTION AREA
 ESTATE RESIDENTIAL	 REGIONAL COMMERCIAL	 RURAL COMMERCIAL	 EPA SUBMERGED VEGETATION
 BUSINESS PARK INDUSTRIAL	 MAIN STREET COMMERCIAL	 RURAL INDUSTRIAL	 HAMLET
 GENERAL INDUSTRIAL	 DISTRICT COMMERCIAL	 INSTITUTION	 HARBOUR AREA; WATER AREA
 WASTE MANAGEMENT INDUSTRIAL	 ARTERIAL COMMERCIAL	 DEFERRED AREA	 MINERAL RESOURCE
 AIRPORT	 RURAL	 OPEN SPACE	 SECONDARY PLAN AREA

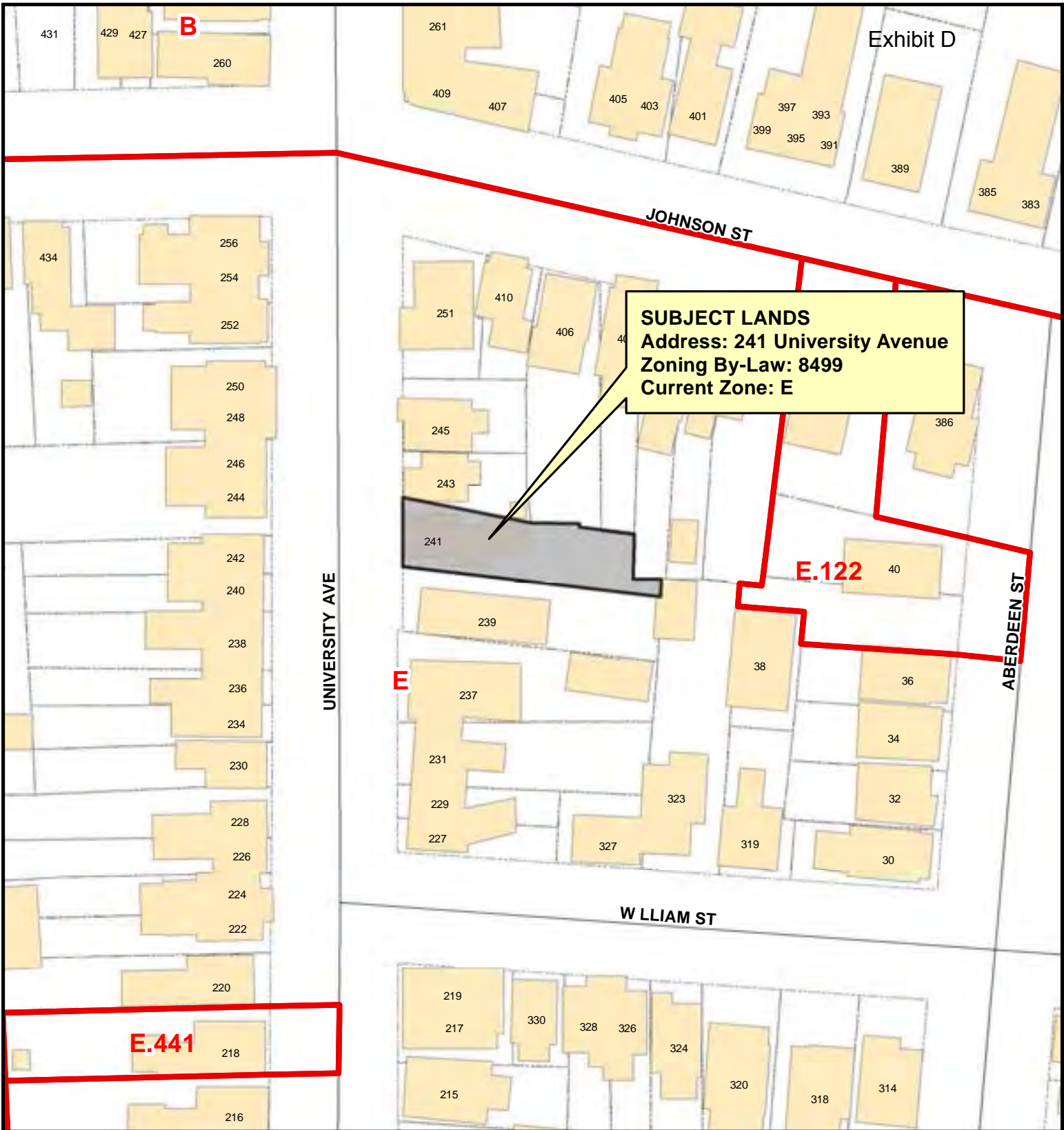


THE CORPORATION OF THE CITY OF KINGSTON
Official Plan for the City of Kingston
Schedule 3-A, Existing Land Use

Applicant: Raymond Mak
 File Number: D14-130-2015
 Address: 241 University Avenue
 Legal Description: PT ABSTRACT BLOCK 01 PT
 MRS;NUGENT LOT RP 13R8808 PART 1;35.0 FR X I
 RREG
 ARN: 101102010010800000



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Planning, Building & Licensing Services
 a department of
 Community Services

THE CORPORATION OF THE CITY OF KINGSTON

EXISTING ZONING

Zoning By-Law: 8499, Map 30

Applicant: Raymond Mak
 File Number: D14-130-2015
 Address: 241 University Avenue
 Legal Description: PT ABSTRACT BLOCK 01 PT
 MRS;NUGENT LOT RP 13R8808 PART 1;35.0 FR X I
 RREG
 ARN: 1011020100108000000

Legend:

Current Zone: E

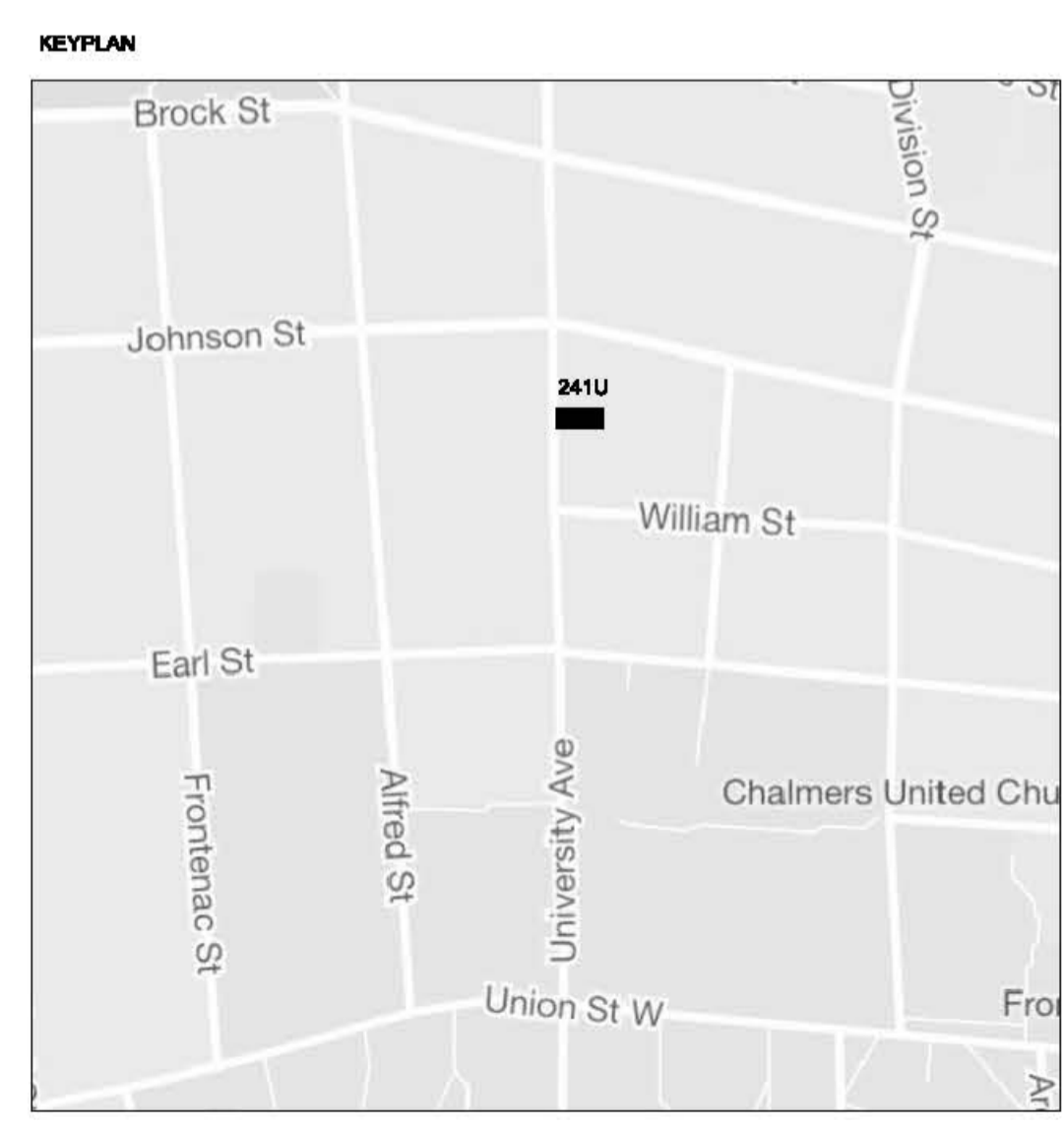
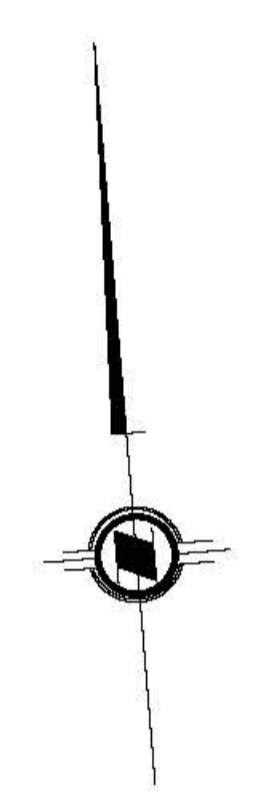
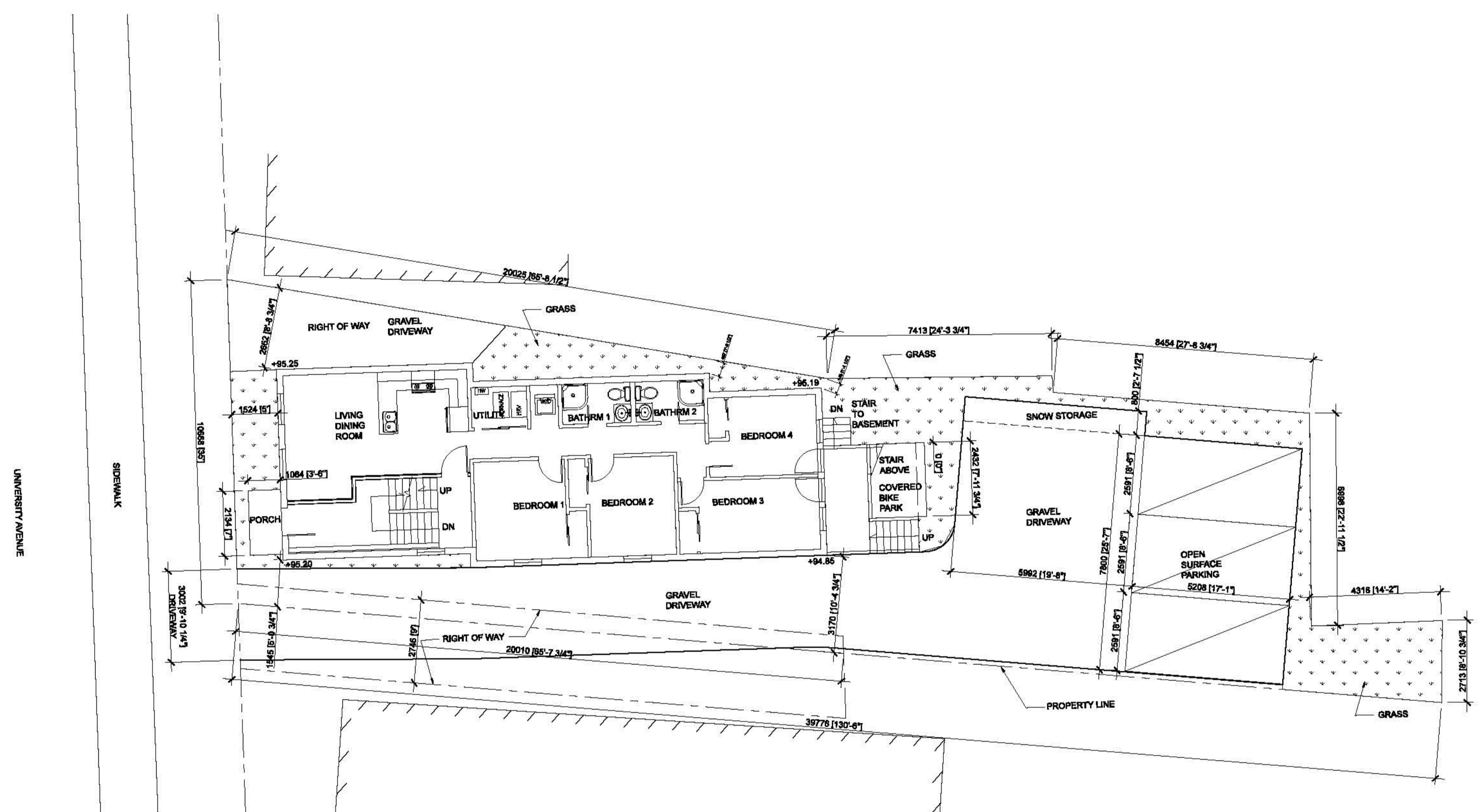
Subject Lands

SCALE
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 Meters
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FOR REFERENCE PURPOSES ONLY

THIS IS AN OFFICE CONSOLIDATION. FOR ACCURATE REFERENCE THE ORIGINAL ZONING BY-LAW AND AMENDMENTS THERETO SHOULD BE CONSULTED AT 1211 JOHN COUNTER BLVD



LEGAL PROPERTY DESCRIPTION:
 241 UNIVERSITY AVE, Kingston, On
 PART OF ABSTRACT BLOCK "D1" FARM LOT 24 KNOWN AS MRS. NUGENT LOT PART 1
 REGISTERED PLAN No. A-12
 CITY OF KINGSTON
 COUNTY OF FRONTENAC

SITE STATISTICS	
ZONING	E (B)
# OF STREETS FACING	1 STREET
# OF UNITS	3 (4 BEDRM) 1 (2 BEDRM)
DENSITY IN UNIT PER NET HECTARE	114/ha
GROSS FLOOR AREA	434m ²
# OF STORIES	3 + basement

PARKING; 3 SPACES @ 6M X 2.7M EACH
 COVERED BIKE PARK; 4 SPACES @ 1.6M X 0.9M EACH

CITY OF KINGSTON BY-LAWS			
DESCRIPTION	REQUIRED	PROVIDED	PERC.(%)
LOT AREA	740 sq.m	349.74 sq.m	100.0 %
BUILDING AREA	33.3 % max	116 sq.m	33.2 %
PAVED AREA	-	164 sq.m	46.9 %
LANDSCAPED AREA	-	80sq.m	17.1 %
ROOFTOP/BALCONY AREA	-	109 sq.m	-
REC ROOM AREA	-	24.5 sq.m	-
TOTAL AMENITY SPACE AREA	320 sq.m	193.5 sq.m	60 %
FRONT YARD SETBACK	6 m	1.52 m	-
REAR YARD SETBACK	10.2m	12.9 m	-
AGGREGATE SIDE YARD SETBACK	10.2 m	varies	-
SIDE YARD SETBACK	4 m	.34m min	-
MAIN BUILDING HEIGHT	12 max	11.2 m	-

No.	Revision/Issue	Date

RAYMOND MAK
 16 ELVA COURT,
 RICHMOND HILL, ON,
 L4C 7Y2

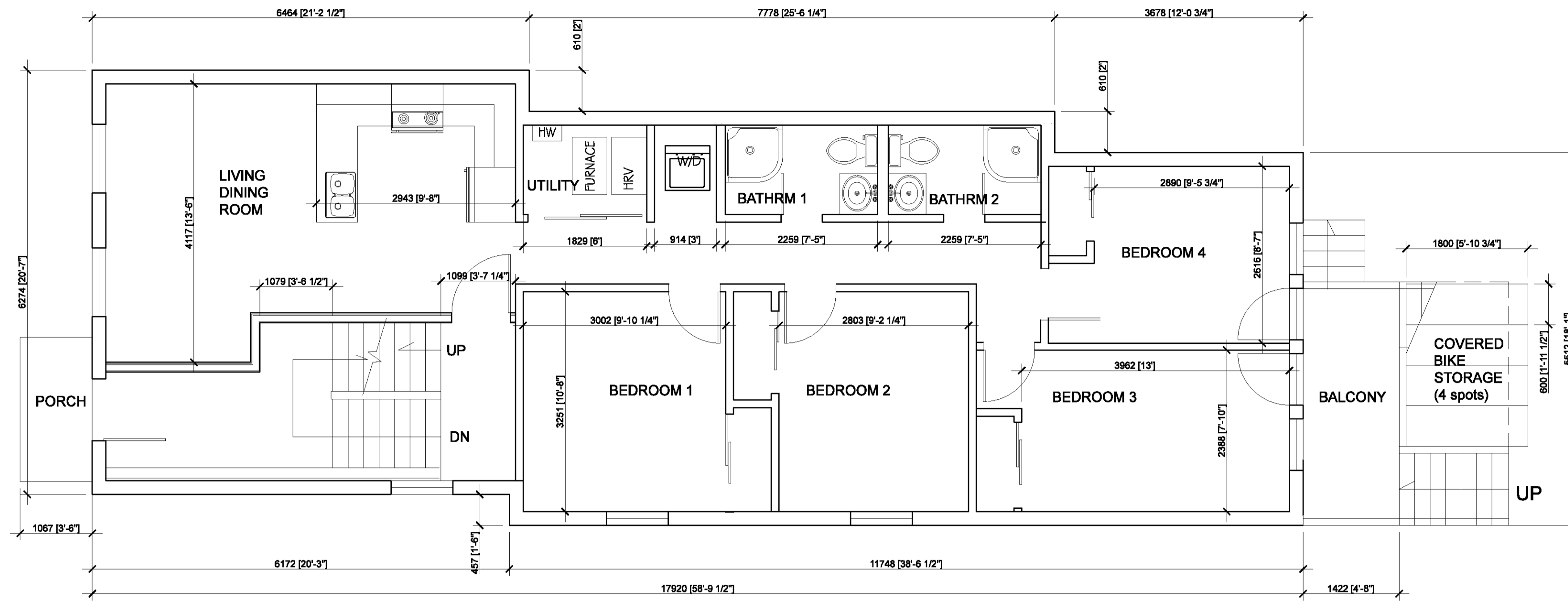
Project
 241 UNIVERSITY AVE

Drawing
 SITE PLAN

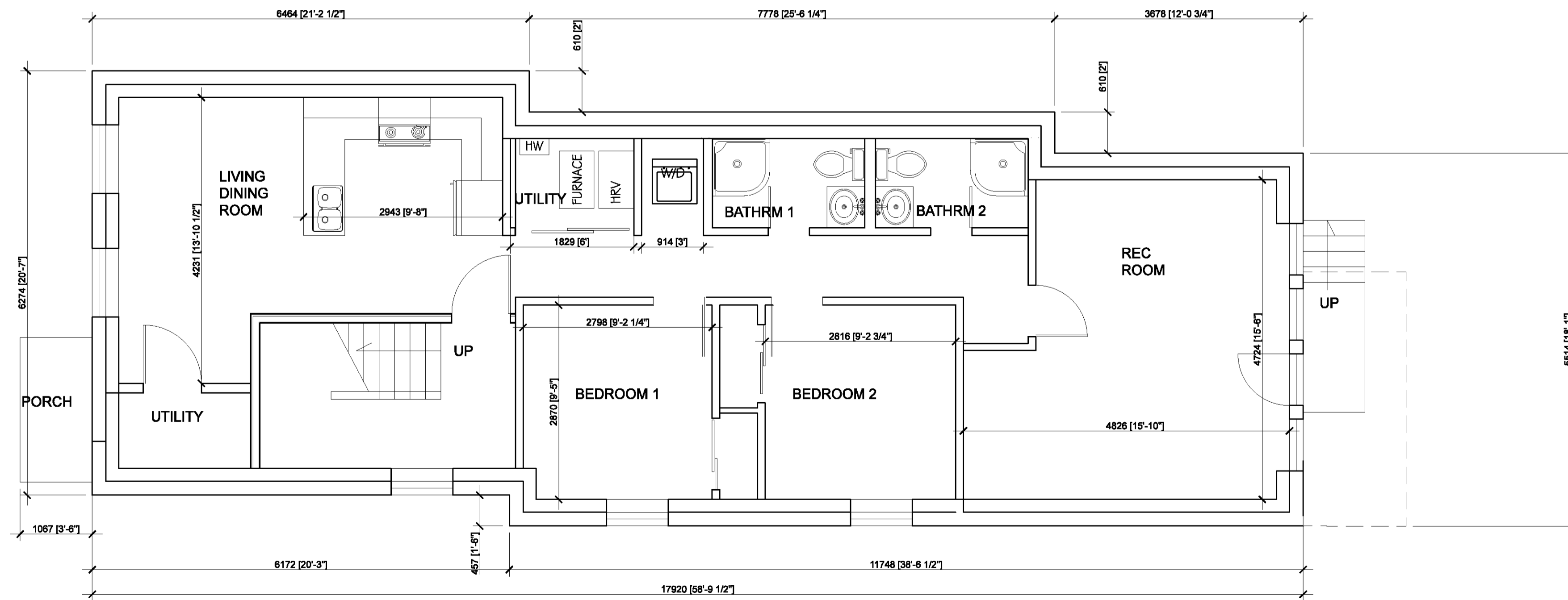
Drawn by:	Checked by:	Project No.
		241U

Designed by:	Approved by:	Drawing No.

Date:	A1.1
04/26/2015	
Scale:	1:100



1ST FLOOR



BASEMENT

Benchmark

No.	Revision/Issue	Date

RAYMOND MAK
 16 ELVA COURT,
 RICHMOND HILL, ON,
 L4C 7Y2

Project
 241 UNIVERSITY AVE

Drawing
 BASEMENT AND GROUND
 FLOOR CONCEPT PLAN

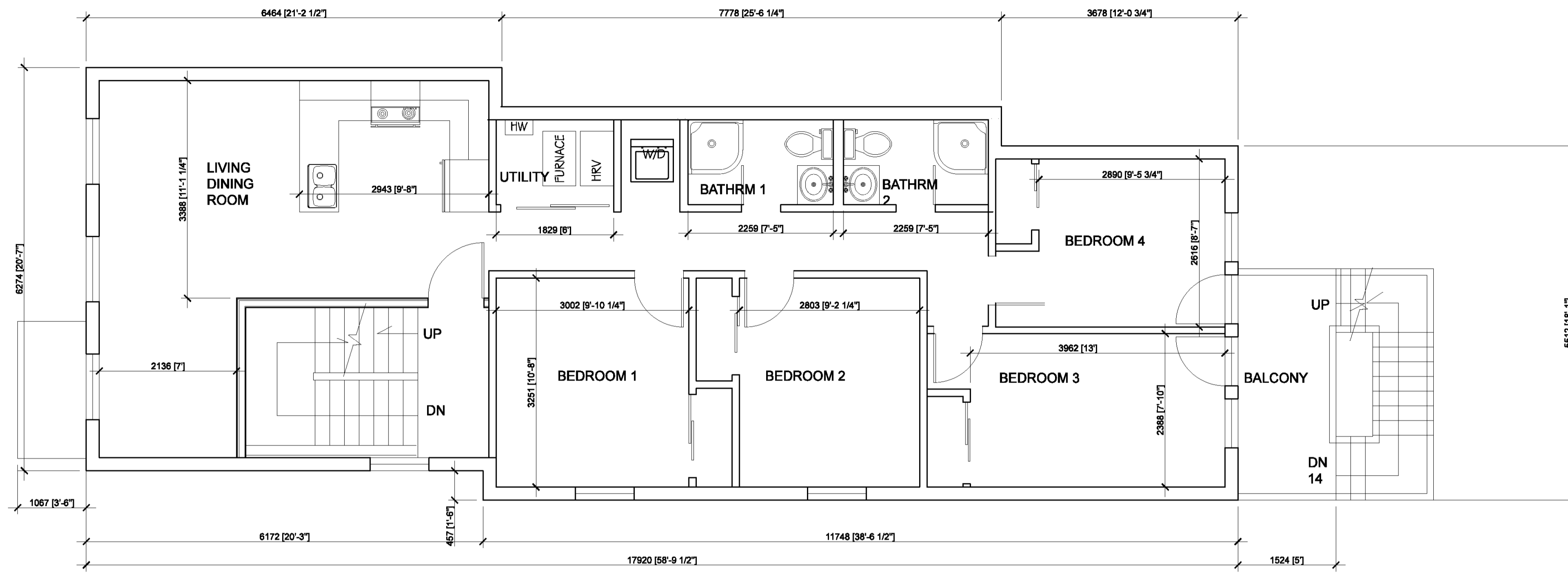
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		241U

Designed by:	Approved by:	Drawing No.

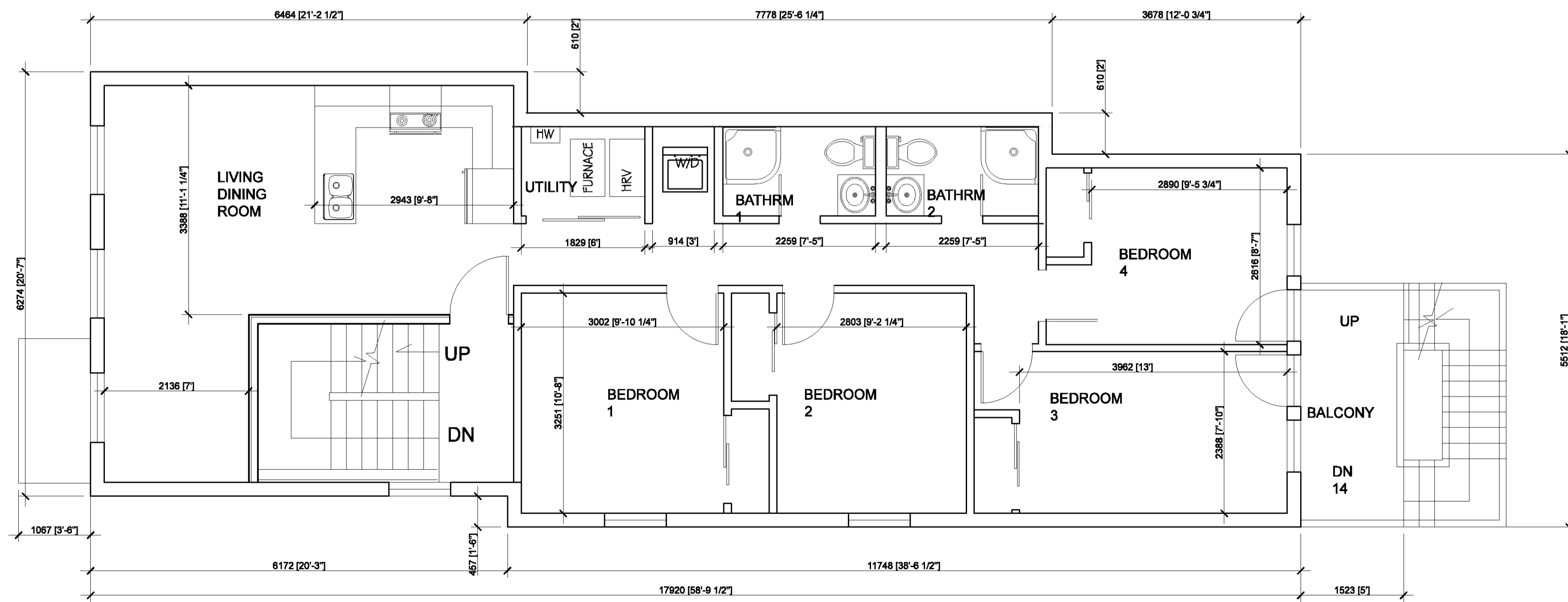
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 04/26/2015

Scale:
 1:50

A2.1



3RD FLOOR



2ND FLOOR

Benchmark

No.	Revision/Issue	Date

RAYMOND MAK
16 ELVA COURT,
RICHMOND HILL, ON,
L4C 7Y2

Project
241 UNIVERSITY AVE

Drawing
2ND FLOOR AND 3RD
FLOOR CONCEPT PLAN

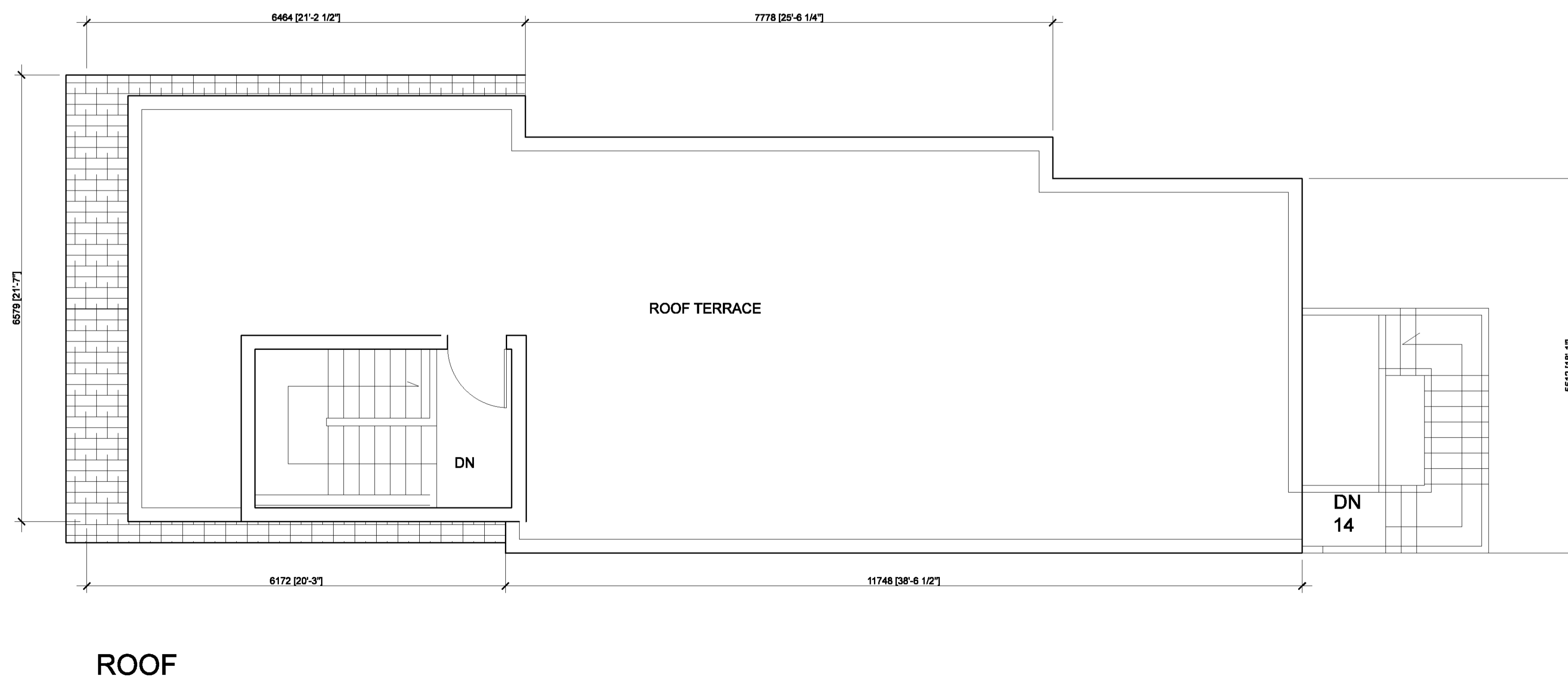
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Designed by: Approved by: Drawing No.

Date: 04/26/2015

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A2.2



Benchmark

No.	Revision/Issue	Date
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RAYMOND MAK
 16 ELVA COURT,
 RICHMOND HILL, ON,
 L4C 7Y2

Project
 241 UNIVERSITY AVE

Drawing
 ROOF CONCEPT PLAN

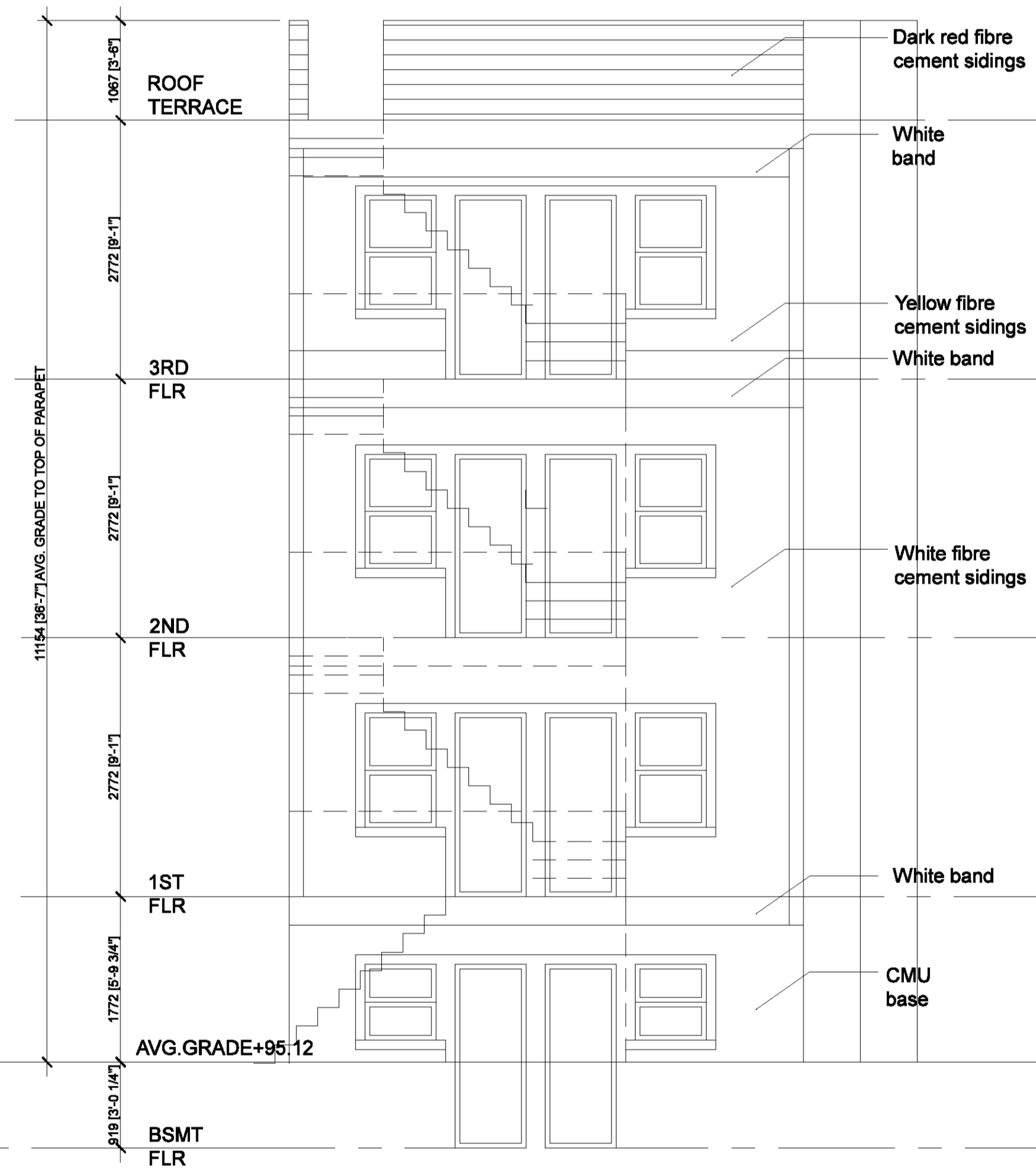
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Date: 04/26/2015	A2.3
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EAST ELEVATION



WEST ELEVATION

Benchmark

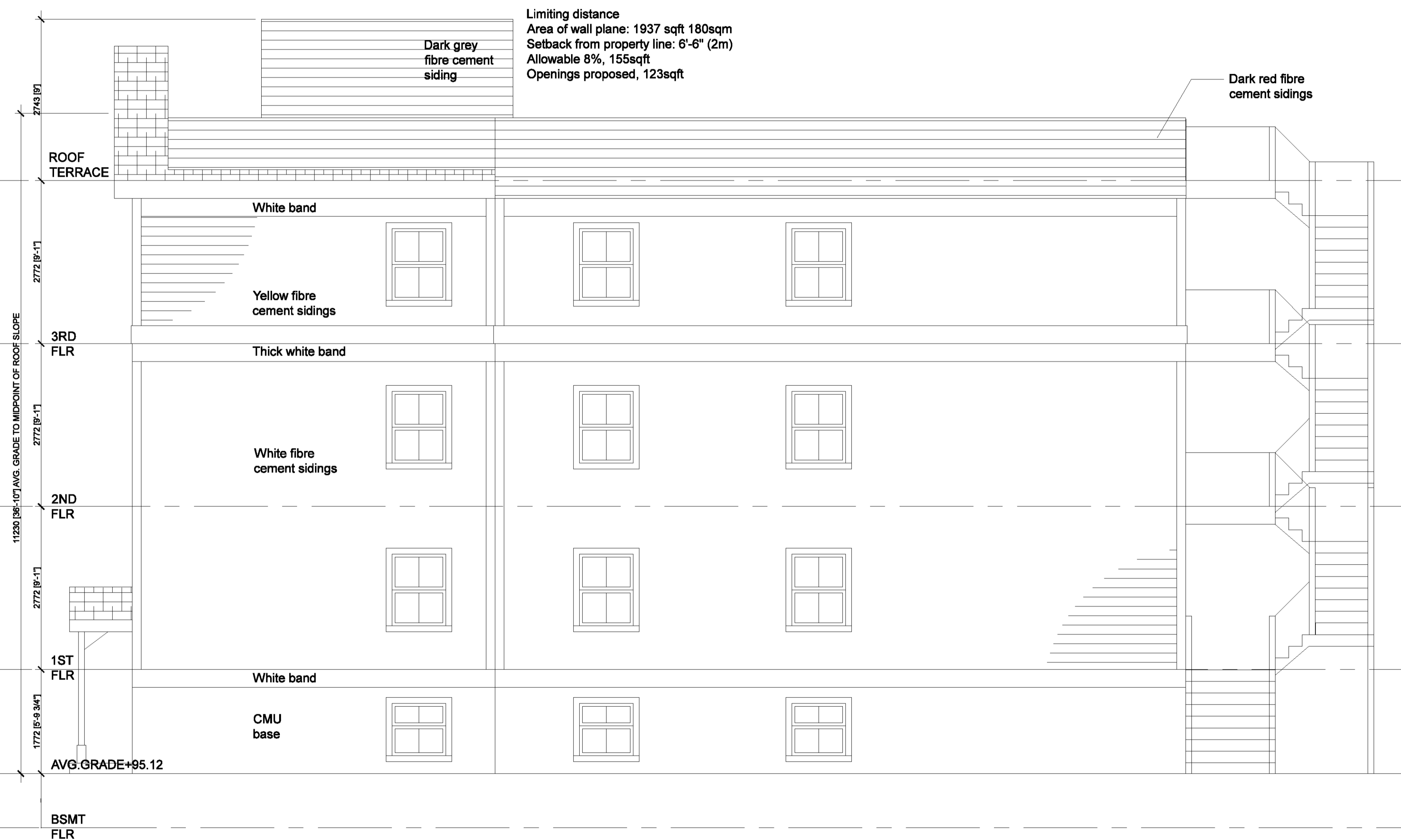
No.	Revision/Issue	Date

RAYMOND MAK
16 ELVA COURT,
RICHMOND HILL, ON,
L4C 7Y2

Project
241 UNIVERSITY AVE

Drawing
EAST ELEVATION AND
WEST ELEVATION

Drawn by:	Checked by:	Project No. 241U
Designed by:	Approved by:	Drawing No.
Date: 04/26/2015	A3.1	
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SOUTH ELEVATION

Benchmark

No.	Revision/Issue	Date

RAYMOND MAK
 16 ELVA COURT,
 RICHMOND HILL, ON,
 L4C 7Y2

Project
 241 UNIVERSITY AVE

Drawing
 SOUTH ELEVATION

Drawn by:	Checked by:	Project No. 241U
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04/26/2015

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A3.2

241 University Avenue

Multi-Unit Residential Building

Planning Justification Report

June 11, 2015

Submitted to:
Planning Division
City of Kingston

In support of an application for:
Zoning By-Law Amendment
Site Plan Control

Prepared for:

Raymond Mak
16 Elva Court
Richmond Hill, Ontario
L4C7YC

Prepared by:

FOTENN PLANNING &
URBAN DESIGN

The Woolen Mill
6 Cataraqui Street, Suite 108
Kingston, ON K7K 1Z7
t: 613.542.5454
www.fotenn.com

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1. Introduction

This planning justification report, prepared by FOTENN Consultants Inc. on behalf of the owner, Raymond Mak, is provided in support of applications for Zoning By-Law Amendment and Site Plan Control for the property located at 241 University Avenue in the City of Kingston. A site-specific amendment to the “B” zone in the City of Kingston Zoning By-Law 8499 is proposed to allow for the demolition of the existing building and the construction of a new, three storey residential building with four (4) units, fourteen (14) bedrooms, three (3) parking spaces, and 193.5 m² of amenity space.

The purpose of this report is to assess the appropriateness of the proposed development and proposed Zoning By-Law Amendment in the context of the surrounding community and the policy and regulatory framework applicable to the subject site.

Based on the required supporting materials identified through a pre-application meeting with City staff which occurred on May 27, 2014, the following items are provided in support of the application:

- Completed application form
- Required application fees
- Site Plan drawing package
- Supporting Studies:
 - Site Servicing and Stormwater Management Report – Forefront Engineering Inc.
 - Stage 1 / 2 Archaeological Assessment – Wagner Archaeological Services Inc.
 - Heritage Impact Statement – Jennifer McKendry
 - Addendum to Heritage Impact Statement – Andrew J. Hill
 - Parking Assessment – Forefront Engineering Inc.

2. Site Overview

241 University Avenue is an approximately 350 m² slightly irregularly shaped lot on the east side of University Avenue just south of Johnson Street and approximately 150 metres north of Queen’s University main campus. It is situated in a mixed-residential neighbourhood with both single and multi-unit buildings. There are many amenities and popular destinations within convenient walking distance, as illustrated in Figure 1 below. These include several elementary schools, a secondary school (Kingston Collegiate and Vocational Institute), Queen’s University, the Princess Street commercial corridor, hospitals and several parks.



Figure 1: Site context

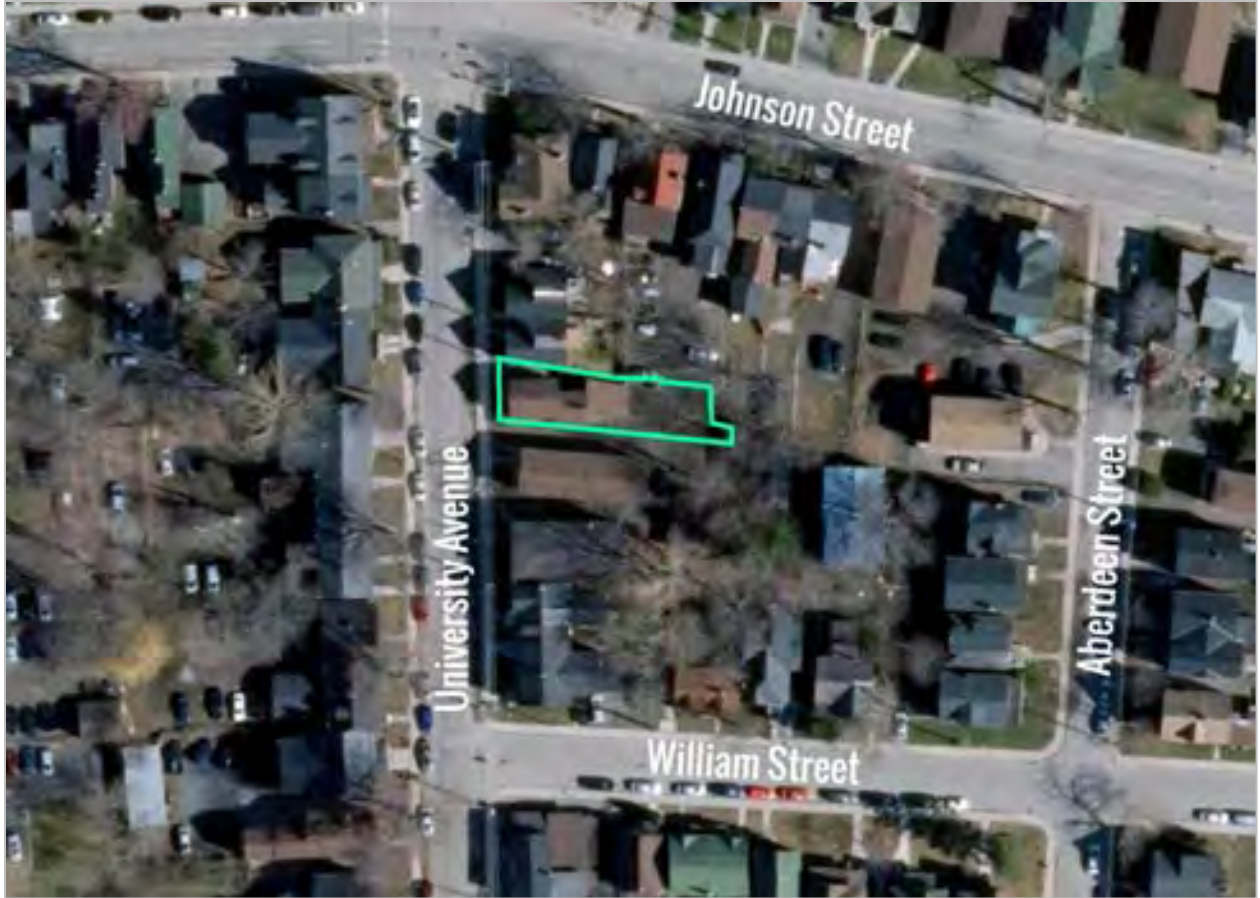


Figure 2: Subject site

This site is very accessible by all transportation modes. There are bicycle lanes along University Avenue, Johnson and Brock Streets, which provide access in and out of downtown Kingston. It is pedestrian friendly with sidewalks, amenities in close proximity, and an urban form which is appealing and conducive to pedestrian travel. There is transit service along Johnson Street and as of May, 2015 that includes an Express route with 15 minute peak service between major commercial and employment destinations in the City. It is also very accessible by private automobile as Johnson and Brock Streets are arterial roads that lead in and out of downtown Kingston.



Figure 3: 241 University Avenue

The existing structure was built in 1873-74. It is currently configured as a single-unit, five-bedroom rental tenure building with two parking spaces in the rear yard. Pedestrian access is provided via a municipal sidewalk and private walk leading to the front door of the building. Vehicle access is via a shared right of way along the south of the building leading to the rear yard.



Figure 4: 241 University Avenue



Figure 5: Looking south along University Avenue. Adjacent heritage designated row houses outlined in red.



Figure 6: Looking north along University Avenue

The surrounding buildings vary in height and age. There are two more modern buildings immediately south of the building, whereas across the street there is a row of heritage designated houses. Building heights in this neighbourhood generally range from 2-3 storeys.

The following uses are adjacent to the subject property:

- North: Residential
- East: Residential
- South: Residential
- West: Residential

Overview of Proposed Development

The applicant is proposing to demolish the existing building and construct a new multi-unit residential building. The proposed building will be three storeys, with a basement that will be 50% above grade. Three four-bedroom units are proposed on the first, second, and third floors. A two-bedroom unit is proposed for the basement level. There are a total of fourteen (14) bedrooms proposed across four (4) units with three (3) parking spaces. A rooftop terrace is also proposed and contributes to the total 193.5 m² of amenity space proposed. The proposed building will be clad in horizontal white fibre cement siding with a peaked roof. The site plan and floor plans are included on the following pages.

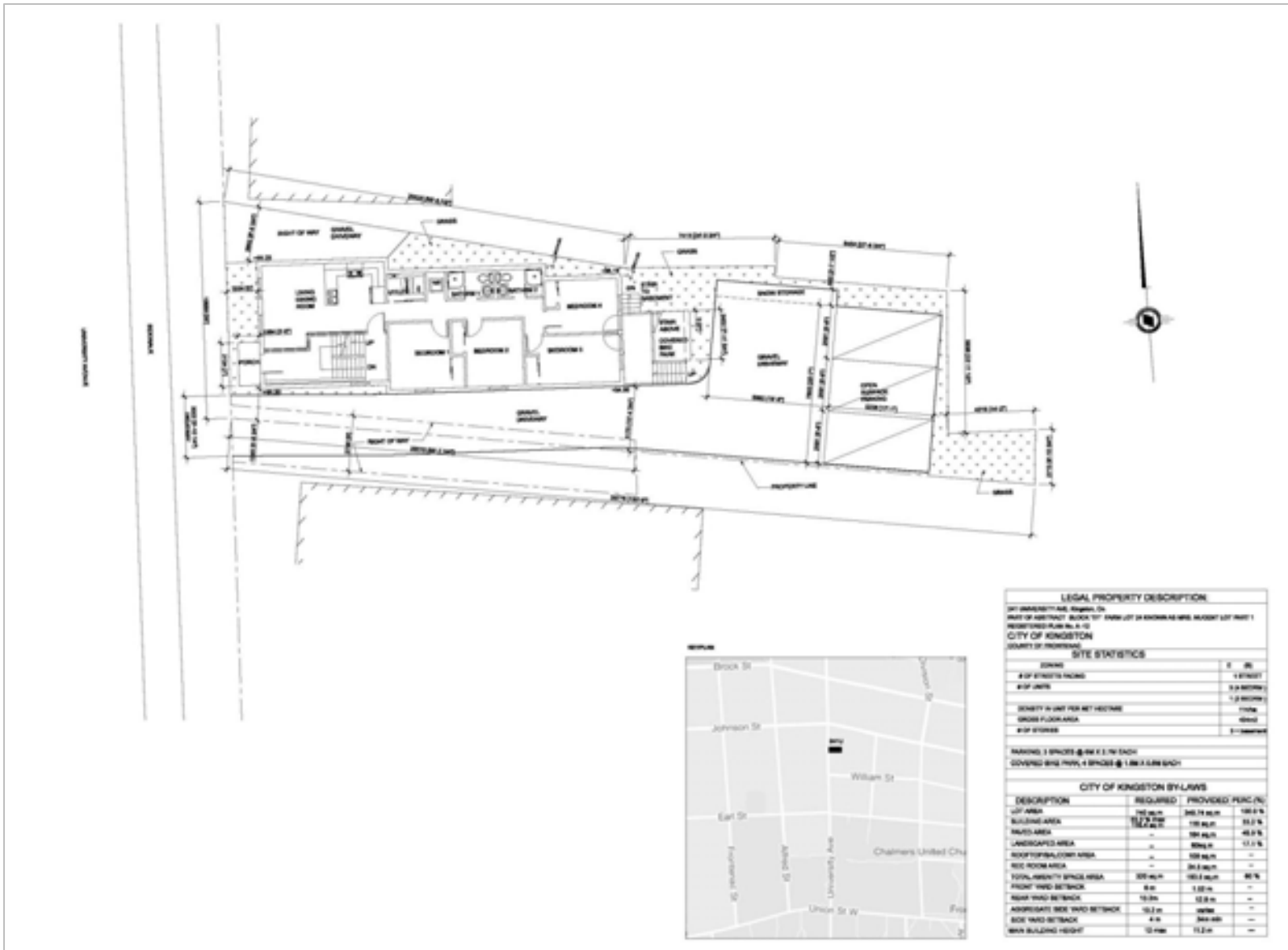


Figure 7: Proposed Site Plan



Figure 8: Proposed basement floor plan



Figure 9: Proposed ground floor plan



Figure 10: Proposed second floor plan



Figure 11: Proposed third floor plan

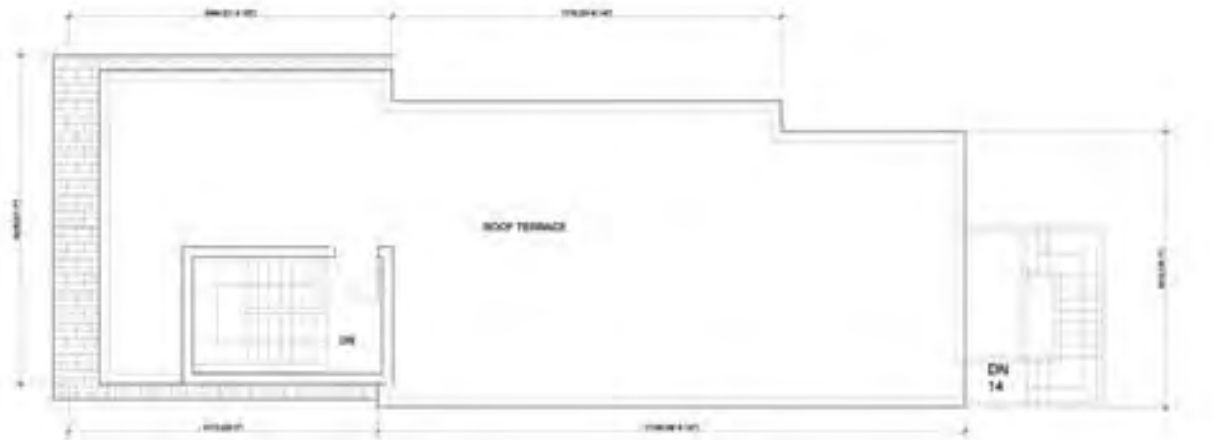


Figure 12: Proposed roof top plan



Figure 13: Proposed building elevations

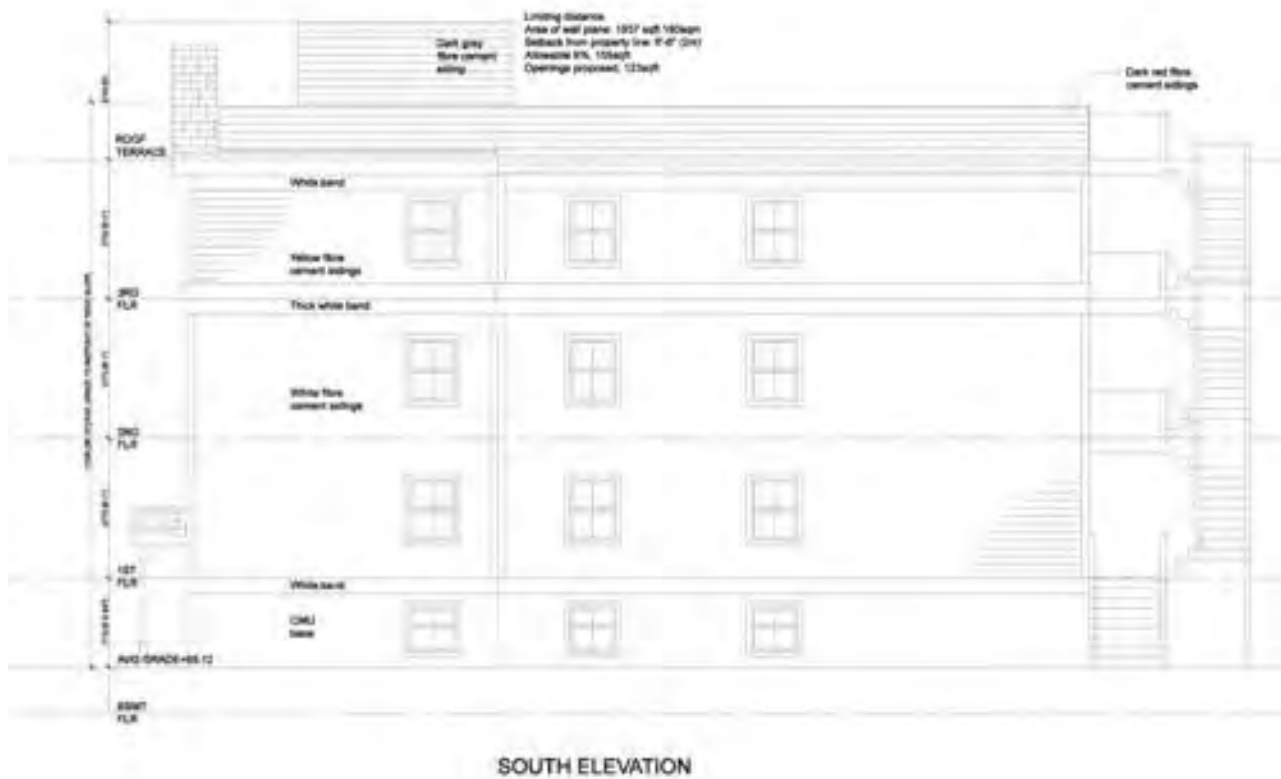


Figure 14: Proposed building south elevation

3. Supporting Studies

Site Servicing and Stormwater Management Report

A servicing and stormwater management assessment was prepared by Forefront Engineering Inc. in March, 2015 to evaluate the servicing requirements of the proposed development. Preliminary calculations reveal that the existing infrastructure is capable of servicing the proposed demand created by the development. The following conclusions/requirements are drawn:

- One 25mm water service is proposed
- One 150 mm diameter sanitary sewer connection is proposed
- A storm sewer connection to the 450mm diameter storm sewer along University Avenue is proposed
- A 375 mm diameter storm sewer will provide storage to limit stormwater runoff to 80% of the pre-development levels
- One underground electrical service is proposed
- A natural gas service to connect to the 50 mm diameter natural gas main along University Avenue is proposed

Stage 1-2 Archaeological Assessment

A combined Stage 1-2 Archaeological Assessment was prepared on November 20, 2012 by Wagner Archaeological Services Inc. This assessment involved a review of background information pertaining to any potential for archaeological resources within the subject property. During Stage 2 work, test pit surveys were undertaken on the property which included identification of some cultural material however these materials did not meet the definition of an archaeological site of cultural heritage value or interest. No further archaeological assessment is recommended.

Heritage Impact Statement

A Heritage Impact Statement was prepared by Jennifer McKendry on October 25, 2012 to review the proposed development in context of the heritage character of the area and the existing building. There are several buildings in proximity to 241 University Avenue that are of heritage interest or value. These include 243-242, 251, and 227-231 University Avenue. The author reviewed three conceptual plans for the new building and provided recommendations and preferred options. Among other conclusions the author notes that there is merit to preserving the building but that its loss would “likely not significantly damage” the heritage assets of the city. The author suggests a replacement building should respect surrounding building tradition and provides a series of guidelines for a replacement building. If the guidelines are followed, the author notes that no significant impact will be created on 234-242 University Avenue, the adjacent heritage designated properties.

Addendum to Heritage Impact Statement

The applicant undertook a redesign of the project in response to the conclusions drawn by the above heritage consultant. Following the redesign the applicant retained another heritage consultant, Andrew J. Hill, on November 18, 2014 to review the new design in the context of the guidelines created by Dr. McKendry. The author concludes that the proposed building conforms to the guidelines created by Dr. McKendry and is an acceptable replacement for the existing building. This is discussed in detail in the Addendum which is included with this report.

Parking Assessment

Forefront Engineering Inc. prepared a parking assessment for the property on March 24, 2015. A parking survey was completed on Tuesday, November 12, 2014 between the hours of 8:00 and 10:00 am. For multi-unit buildings in the area, the author surveyed 33 buildings with a total of 85 units and 90 parking spaces. Of the 90 parking spaces, 52 were utilised during the survey. This suggests a ratio of one dwelling unit to 0.58 utilized parking spaces is appropriate for multi-unit buildings in this neighbourhood. The authors note the transit, bicycle, and pedestrian friendly nature of this area which support a reduced dependency on private automobiles. The authors conclude with a recommendation supporting the requested zoning reduction in required parking spaces.

4. Policy and Regulatory Framework

Provincial Policy Statement

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the *Planning Act* and in effect since April 30th, 2014, provides policy direction on matters of provincial interest related to land use planning. Decisions affecting planning matters “must be consistent with” the policy statements issued under the *Planning Act*.

The Provincial Policy Statement includes a number of policies relating to community development, housing, infrastructure, heritage, agriculture and mineral resources, water quality and quantity, and public health and safety. With respect to the proposed residential redevelopment, the following policies apply:

- Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted (Subsection 1.1.3.1).

The proposed development is within the urban boundary area which is intended as the location to accommodate future development within the City of Kingston.

- Promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas (Subsection 1.1.3.3).

The proposed development represents a residential intensification of this property. The development can be accommodated on this lot and it has been intentionally designed to minimize any negative impacts on adjacent heritage buildings.

- Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements (Section 1.4.3 (b)(1)).

Creating three additional units on the property will accommodate additional residents in an existing neighbourhood in close proximity to popular destinations, including Queen’s University.

- Planning for sewage and water services shall direct and accommodate expected growth in a manner that promotes the efficient use of existing municipal sewage services and municipal water services (Subsection 1.6.6.1.a (1)).

The property is located in a serviced location. The existing municipal service system has capacity to accommodate the demand created by the proposed development as discussed in the Site Servicing Report.

- Development and site alteration may be permitted on lands adjacent to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated with the heritage attributes if the protected heritage property will be conserved (Policy 2.6.3).

There are several heritage designated properties adjacent to the subject property. A strip of heritage designated row houses are located across the road from the subject property at 234-242 University Avenue. In the Heritage Impact Statement and associated Addendum, the authors conclude that if the design conforms to the statement guidelines in the original Statement, that no significant impacts will be borne on these heritage designated properties.

In summary the proposed development is consistent with the PPS for residential development within an urban settlement area.

City of Kingston Official Plan

The subject site is designated *Residential* on Schedule 3 – Land Use of the Official Plan.

Section 2: Strategic Direction

Section 2 provides broad level direction including policies that address the “...City’s primary objectives, its approaches to the protection of built and natural resources, and to development, redevelopment, and intensification”. The subject property is within a “Housing District” as designated in Schedule 2 of the OP. Section 2.2.5 indicates that established housing areas are generally intended to remain stable but will also accommodate re-investment and infill through new development that is compatible in use and function. The properties within the vicinity of the subject site are generally characterized by single and multi-unit residential development.

Section 2.4.5 establishes density targets to achieve an overall increase in residential density within the City’s urban area. The policies of the Official Plan intend these density targets to be achieved through “...larger scale development, the expansion or conversion of existing buildings, and the redevelopment of vacant, underutilized, or brownfield sites and infill development”. This redevelopment will achieve a density of 114 units per hectare. As will be discussed further below, this falls under the high-density classification in the Official Plan.

Section 2.7 includes policies to ensure that redevelopment and new development locations are consistent in terms of function and character with existing development and that adverse impacts are limited. Section 2.7.1 indicates that compatibility is defined as the ability of various land uses and designs that can appropriately co-exist from a function and visual character perspective. In order to assess compatibility, Section 2.7.3 considers potential adverse impacts as follows:

- a) Shadowing;
At three storeys and 11.2 metres tall, the proposed building is an increase in height for the subject property. Along University Avenue buildings generally range from two to three storeys. The immediately adjacent buildings are both two storeys tall. The proposed building may create minor shadow impacts on neighbouring properties however these will not be out of character for this neighbourhood.
- b) Loss of privacy due to intrusive overlook;
This is a relatively dense urban environment where buildings are close together. The proposed building is not out of character with the general form of this neighbourhood and will not create any significant or detrimental impacts related to privacy that are not typical of this area.
- c) Increased levels of noise, odour, dust or vibration;
- d) Increased and uncomfortable wind speed;
There are no significant impacts anticipated related to items c) or d) as this is not a high rise building or commercial/industrial use which could create disruptive noise, odour, dust, vibration, or wind impacts.
- e) Increased level of traffic that can disrupt the intended function or amenity of a use or area;
The property will accommodate three parking spaces which has been supported in the Parking Assessment. On-site traffic will increase with the additional units, however this increase is not anticipated to disrupt this area.
- f) Environmental damage or degradation;
No significant environmental features are identified on the property in Official Plan schedules 7 or 8.
- g) Diminished service levels because of social or physical infrastructure necessary to support a use are overloaded;
Numerous community/social services exist within the downtown area and these will support and accommodate the proposed development. The Site Servicing and Stormwater Management Report submitted with the application provides an assessment of the servicing requirements and concludes the development can be accommodated on existing municipal services.
- h) Reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, historic quality or setting;
The proposed development is not such a divergence from the form or character of the surrounding area that it can reasonably be expected to significantly reduce the ability to enjoy surrounding properties.
- i) Visual intrusion that disrupts the streetscape, building, or cultural heritage resource;
The Heritage Impact Statements provided with this application include guidelines that have been followed to reduce/eliminate the impacts on adjacent heritage properties.
- j) Architectural incompatibility in terms of scale, style, massing and colour;

The project has been reviewed for its design merits in terms of adjacent heritage buildings. It is generally consistent with the scale, style, massing and colour of the surrounding area.

- k) The loss or impairment of significant views of cultural heritage resources and natural features and areas to residents;
There will be no loss or impairment of significant views involved with this development.

In addition to limiting adverse impacts, compatibility is to be achieved by ensuring new development provides a functional design to meet the needs of users. Section 2.7.7 establishes the following Functional Needs criteria:

- a) Suitable scale, massing and density in relation to existing built fabric;
As described above, the proposed development is three storeys with the appearance of a single detached dwelling from the street and generally reflects the prevailing form of the neighbourhood.
- b) Appropriate landscaping that meets or improves the characteristic green space amenity of the site and surroundings and enhances that City's tree planting program;
Amenity space will be provided in the rear yard and rooftop terrace and will be an improvement of the landscaping situation on the property.
- c) Adequate land area and appropriate site configuration or provision for land assembly, as required;
The site, services, amenity area, and parking can all be appropriately accommodated on the property.
- d) Efficient use of municipal services, including transit
Residential intensification makes municipal services more efficient. This property is in close proximity to transit and will support pedestrian and cycling modes of transportation as well.
- e) Appropriate infill or vacant or under-utilized land;
This is an appropriate infill project that is supporting the City's goals of an increase in net density within the urban boundary. This is a suitable location for high density residential as is described further in the following section.
- f) Clearly defined and safe:
 - Site access; *Appropriate pedestrian and vehicular access is provided at-grade.*
 - Pedestrian access to the building and parking space; *Pedestrian access is provided to the building from the municipal sidewalk.*
 - Amenity area and play space; *Amenity area is combined with play space and is located in the rear yard and rooftop terrace, away from the traffic of University Avenue.*
 - Parking and bicycle facilities; *Bicycle facilities are provided in accordance with the Zoning By-Law. A reduction of one parking space is requested and this request has been evaluated and supported in the submitted Parking Assessment.*

Section 3: Land Use Designations & Policy

Section 3.3 of the Official Plan states lands designated *Residential* are intended to accommodate residential development on full municipal services including detached, semi-detached or duplex dwellings, townhouses, and apartments of various types, tenure, and density to provide for the full range of housing needs. The proposed development conforms to the uses permitted within the designation.

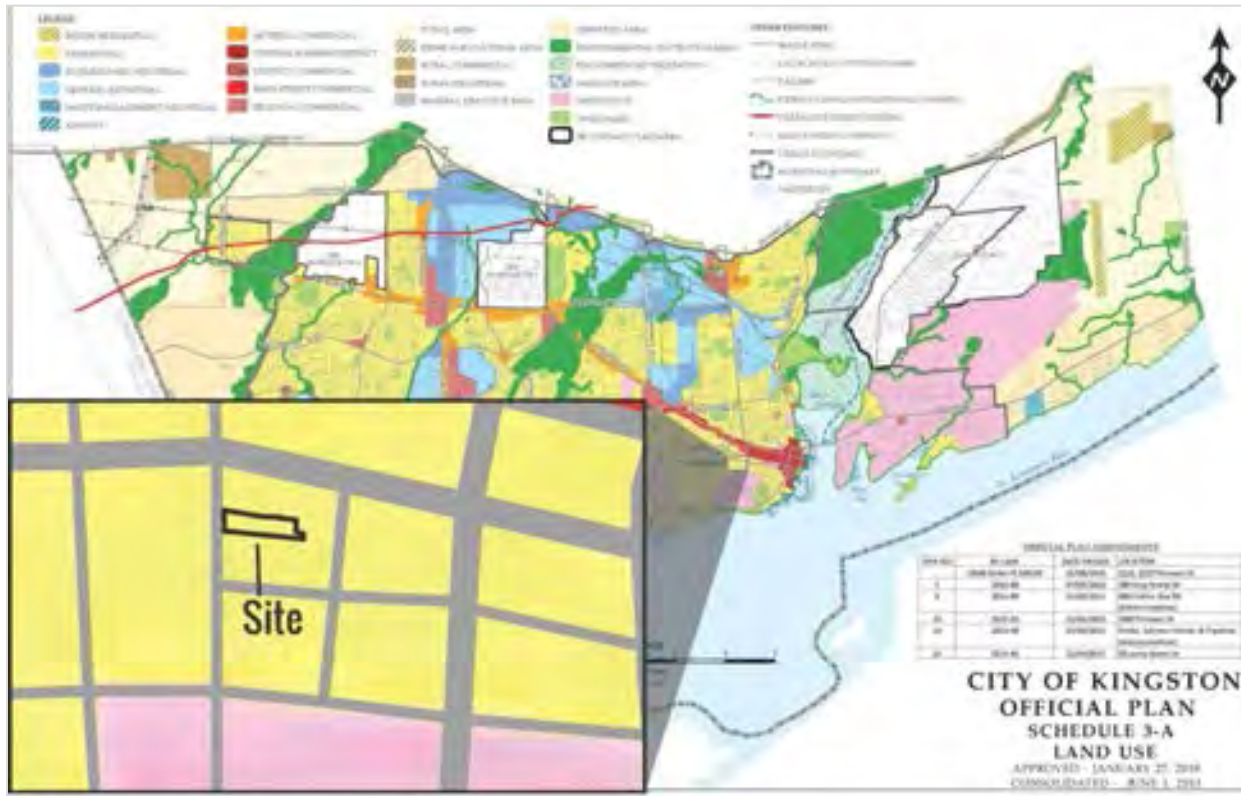


Figure 15: City of Kingston Official Plan Land Use Schedule 3A

Section 3.3.8 provides direction for intensification within the *Residential* designation. The policy indicates that in fully serviced areas, moderate increases in density and transitions to more intense housing formats are appropriate at the edge of neighbourhoods and at locations adjacent to transit routes, community facilities, significant areas of open space or adjacent to mixed-use Centres and Corridors as identified on Schedule 2. The subject site is in close proximity to major institutional facilities, employment and commercial areas, and public transportation routes.

Section 3.3.C.1 states that high density residential land uses primarily include apartments and mixed use buildings with commercial on the ground floor with a density of 75 units per net hectare or more, unless an approved secondary plan establishes other provisions. The proposal includes a density of 114 dwelling units per net hectare which is considered high density residential.

Section 3.3.C.2 states that in order to assess new high density residential projects, the applicant must provide an analysis through a planning justification report. The analysis must address the location of the project. Generally, high density residential projects will be located:

- a. on the periphery of a low or medium density residential neighbourhood;
- b. adjacent to, or in proximity to, commercial areas;

- c. on an arterial or collector road designed for public transit, and,
- d. in proximity to parkland or open space.

This neighbourhood includes a diverse mix of single-, double-, and multi-unit buildings, making this an appropriate addition in this location. It is in very close proximity to a major transportation route (Johnson and Brock Streets), in proximity to employment areas (Queen's University, Kingston General Hospital) and parkland (Victoria Park), and is therefore consistent with the location criteria for high density.

Section 3.3.C.4 states that new high density residential land uses may be approved through rezoning without amendment to the Official Plan subject to site plan control review, and the following:

- a. the provision of adequate municipal servicing: *the proposed development does not require the undue expansion of municipal services; the development will include upgraded connections to municipal services.*
- b. the provision of outdoor amenity areas, which will include a children's play area, common areas and private areas to the satisfaction of the City: *193.5 square metres of amenity space area provided.*
- c. the provision of adequate on-site parking for each residential unit and for visitors, primarily using above or below grade parking structures as the City deems appropriate: *3 parking spaces are provided at a ratio of .75 spaces per residential unit. This has been analyzed in the submitted Parking Assessment and has been deemed appropriate through review by an engineering professional.*
- d. a design that encourages pedestrian activity, streetscape interest, and does not impact negatively on neighbouring uses: *the building design is similar in scale and design with adjacent buildings along University Avenue.*

It is most important to note that while 114 units per net hectare is high density by numerical value it is not high density in its form. The form, is a mix of the single and multi-unit dwellings in the neighbourhood and is therefore in keeping with the policies of the Official Plan.

Section 3.3.D.10 recognizes that housing for post-secondary student populations has specific land use characteristics and impacts on adjacent areas and therefore is not appropriate in all residential areas. The subject site is in close proximity to the Queen's University campus and commercial uses located along the Princess Street corridor which cater to the needs of the student population in the area. The property is ideally located to meet the housing needs of students but can also attract non-student tenants due to its prime location within walking distance to many major amenities and employment destinations.

Section 3.3.D.11 recognizes that the City, the post-secondary institutions of Kingston, and private landlords share the responsibility of providing affordable, safe and sanitary accommodations for students. The redevelopment of the site in compliance with the Ontario Building Code will ensure up-to-date health and safety and energy efficiency standards are met.

Section 3.3.D.12 indicates that new or redeveloped residential uses intended for student accommodation must include appropriate design considerations to accommodate a wider range of tenants. A common issue in the City of Kingston has been the prevalence of units with 5+ bedrooms that are less attractive to users other than students. The proposed redevelopment will include three 4-

bedroom units and one 2-bedroom unit, increasing the number of units and providing a small degree of diversity in unit size. This is generally consistent with this policy.

The subject property is identified as a Campus Expansion Area as per 3.3.D.14 and Schedule 13. This area is subject to the policies of Sections 3.5.17 and 3.5.18 of the Plan. These policies are designed to consider this area as a potential area for northerly expansion of the University according to a Campus Master Plan (3.5.17). Residential redevelopment is permitted in this area subject to the residential policies and compatibility policies of the OP (3.5.18.e.). A Campus Master Plan was recently completed for Queen's University. The Master Plan supports neighbourhood infill in areas adjacent to the University in the form of low-rise buildings that complement surrounding housing character. The proposed development is appropriate in consideration of these OP policies.

Section 8: Urban Design

This section of the OP provides guidance on how new development should respond to existing conditions in the city. Section 8.2 promotes barrier free access and safety in development proposals by:

- a. providing for the needs of seniors, people with disabilities, and others with special requirements through improved amenities such as parking and washrooms, clear signage, visual or auditory aids, and other means as appropriate;
- b. improving public security through enhanced lighting, visibility of public areas, provision of entrance locations in well-traveled areas, and ease of accessibility for emergency personnel or vehicles;
- c. clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;
- d. arranging public uses and amenities within a convenient walking distance;
- e. providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and,
- f. promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of *development sites*.

The proposed development is generally consistent with these points. It provides clearly visible and logical entrance location facing the street and at grade. It provides functionally adequate widths for driveways and walkways and provides two means of access/egress for residential units. There is a clear sightline into the rear yard along the main driveway.

Section 8.3 seeks to maintain the character of valued streetscapes, community areas and landscapes through the following measures:

- a. preserving human scale in locations that are pedestrian-oriented by controlling building heights, requiring building step-backs, having entrances at street level, and other means as appropriate;
- b. protecting views to the water, City Hall and other significant buildings or landscapes;
- c. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;
- d. the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;

- e. designing public spaces or requiring the design of common spaces in private projects that have a clear sense of definition, and provide sufficient amenity and security to encourage public use and linkage to other public areas;
- f. preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having particular architectural, historic or cultural value; and,
- g. encouraging innovative methods to minimize the visual impact of utility features, either by containing utility features within streetscape elements or by screening them from view.

The proposed building and layout is of a human scale that generally reflects and repeats the character of the surrounding area. The building is located close to the street, with small setbacks and a front porch in a manner that repeats the pattern along University Avenue. The main building entrance is located at street level and faces the street. The proposed roof terrace and rear yard will provide amenity/common areas on the property and improve the functionality and safety of such spaces. There are no views to City Hall, Lake Ontario, or any other significant buildings or landscapes that will be impaired by this development.

5. Existing and Proposed Zoning

The subject property is zoned Special Education and Medical Uses Zone ‘E’ in City of Kingston Zoning By-law 8499. The ‘E’ zone permits residential uses subject to the provisions of the ‘B’ zone provided they are “owned, rented or managed by members of the Science ‘44 Co-operative Incorporated or the Alma Matter Society. While this property is not owned by either of the noted owners, this zoning sets the tone for more intensive residential development in this area. A site specific ‘B’ zone is proposed, which permits three to six dwellings and includes appropriate regulations to control the proposed development.

The following table assesses the performance of the proposed development against the applicable provisions of the zone:

Provision	Permitted/Required (B- Zone)	Proposed Development (B.XX Zone)	Compliance/Relief
Permitted Uses	<ul style="list-style-type: none"> • Three to six family dwellings, 	Four units	Yes
Minimum Front Yard	6.0 m	1.52 m	No – reduced front yard requested to conform with guidelines provided by heritage consultant and consistent with front yard setbacks on the street.
Minimum Side Yard	2/5 the height of the main building = 4.48 m	0.34 m	No – reduced side yard requested. Largely reflective of the existing situation.
Minimum Aggregate Side Yard Width	Equal to the height of the building = 11.2 m	.34 m + 3.03 m = 3.37	No – reduced aggregate side yard requested, again largely reflective of the existing situation.

Minimum Rear Yard	The greater of the height of the rear wall or 25% of the lot depth; however, the rear yard need not exceed 7.5 m	12.9 m	Yes
Maximum Percentage of Lot Coverage	33 1/3% of the total lot area	116 m ² , or 33.2%	No – minor reduction in lot coverage required
Maximum Density	69 dwelling units per net ha.	114 units per net ha	No – increased maximum density requested
Maximum Building Height	12.0 metres	11.2 m	Yes
Parking Requirement	1 parking space per dwelling unit = 4	3	No, reduction in 1 parking space requested. Parking study provided to justify relief. Yes
Bicycle Parking	1 space per dwelling unit = 4	4	
Minimum Play Space	2.3 m ² per unit = 9.2 m ² total	0 m ²	No – children’s play area combined into amenity area
Minimum Amenity Area	4 bedroom: 90 m ² x 3 = 270 m ² 2 bedroom: 18.5 m ² x 1 = 18.5 m ² Total required amenity area: 288.5 m ²	193.5 m ²	No – reduction requested for a minimum of 193.5 m ² of amenity area.
Front Yard Projection	May project 3.5 m out from main building wall, but not closer than 3.5 m to the front lot line.	Projects 1.06 m into front yard, to a minimum setback of 0.46 metres	No – reduce minimum setback requirement of front yard projections to 0.46 metres. This is required to be consistent with development in the neighbourhood.

The proposed site specific zoning text, provided below, is appropriate to permit the proposed development.

The following ‘B.XX’ Zone is proposed:

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, the lands designated ‘B.XX’ on Schedule ‘A’ hereto, the following regulations shall apply:

- a) Minimum front yard depth 1.52 m
- b) Minimum side yard width 0.34 m
- c) Minimum aggregate side yard width 3.37 m
- d) Maximum percentage of lot coverage 33.2%
- e) Maximum density 114 units per hectare
- f) Minimum number of required parking spaces 3
- g) Minimum amenity area 193.5 m²
- h) Minimum setback of a projection in the front yard: 0.46 m
- i) There shall be no separate play space requirement.

The figure below shows the proposed site specific ‘B.XX’ zone and adjacent zones.

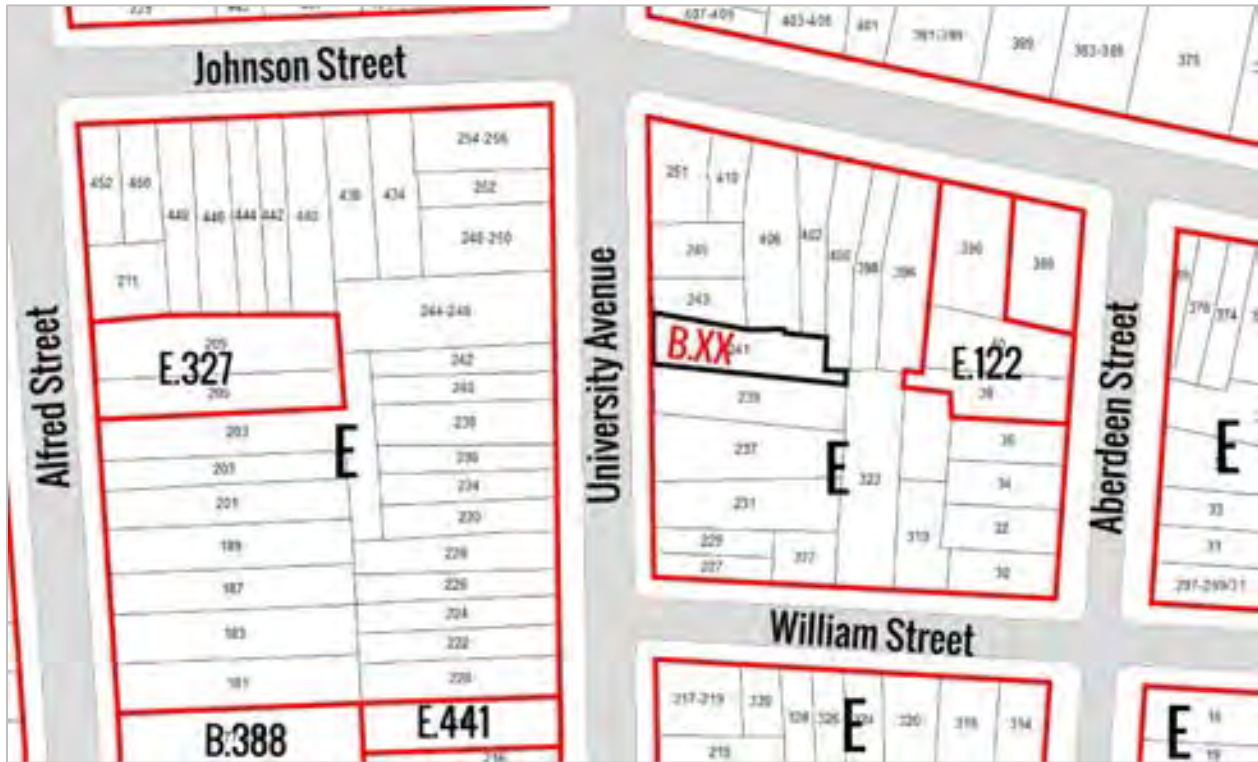


Figure 16: Proposed zoning

Requested Zoning Relief

Density

The requested increase in density is required to permit the additional units. The proposed density of 114 units per net hectare is considered high density in the context of the Official Plan, and the property is generally consistent with the locational criteria in the Official Plan for high density residential. These criteria include being on the periphery of a low or medium density residential neighbourhood; adjacent to, or in proximity to, commercial areas; on an arterial or collector road designed for public transit, and, in proximity to parkland or open space. As discussed above, the property meets these stipulations and is an appropriate location for high density in this building form.

Yards

The proposed development required reduction in the minimum required yards described in the Zoning By-Law. This relief is necessary to permit a building envelope that resembles surrounding buildings. The front yard setback reduction is necessary to bring the building close to the street, as described in the Heritage Impact Statement. The side yard reductions are required to ensure the building is of suitable width and reflects the general pattern of other buildings in proximity.

Front Yard Projection (Front Porch)

The front porch projects 1.06 metres into the front yard beyond the front building line to a minimum setback of 0.46 metres from the front lot line. This does not conform to the zoning by-law requirement of a minimum setback of 3.5 metres from the front lot line for projections into the front yard. The

reduction is required to provide a front porch that is consistent with other buildings along University Avenue while still keeping the building close to the street as required to ensure compatibility with adjacent buildings.

Lot Coverage

There is a requested lot coverage reduction from 33.3% to 33.2%. This is a very minor reduction that is required given the desired building form. It should not have any impacts on adjacent properties.

Parking

A reduction of one parking space is requested. This reduction has been evaluated by an engineering professional and described in detail in the Parking Assessment included with this report. In this transit, pedestrian, and cycling friendly location, the reduction of one parking space is considered acceptable.

Amenity Space/Play Space

A reduction of the required amenity and play space is requested. Play space is proposed to be combined with the regular amenity spaces provided. Amenity space is provided in the rear yard and rooftop terrace, which is shielded from the street and informally supervised by residents living in the rear of the building. The site is also within walking distance of Victoria Park, a community space that offers both passive and active recreational facilities. City Park, a large urban park, is also a short walk from the subject site and provides a range of play equipment for children including a splash pad, jungle gym and sports fields. The site is also in close proximity to sports fields at Queen's University and Breakwater Park along King Street.

Further, the City has engaged Dillon Consulting Ltd. to undertake an Amenity Area Review Study to review the City's regulations related to amenity areas. The recommendations of this study provide an indication of the direction the City is taking with respect to future amenity space requirements. A recommendation from this report which would pertain to this application is that 18.5 m² of amenity space per dwelling unit be required away from the Princess Street corridor. If that standard was used for this application, there would be a total of 74 m² of amenity space required. The provided 193.5 m² is more than double this requirement. Another recommendation of this study is that a separate play space requirement is not necessary. In consideration of this study, the requested amendments to amenity area represent a move in the general direction that the City is going with respect to amenity areas.

6. Conclusion

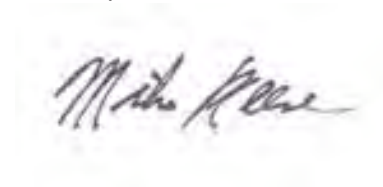
The submitted applications request exemption to Zoning By-Law 8499 to permit the demolition of an existing structure and construction of a new structure at 241 University Avenue in the City of Kingston. The proposed new building will be a three-storey, four-unit building with 14 bedrooms, amenity space, and 3 parking spaces.

The Provincial Policy Statement and Kingston Official Plan are supportive of residential intensification when it occurs in a matter that is compatible with the adjacent uses. The development has undergone two heritage impact assessments and has been deemed in its final form to be appropriate for this location. As three storey building that is close to the street and occupies most of the width of the lot, the proposed building is generally compatible with the form of the neighbourhood.

In summary, the requested Zoning By-Law Amendment is compatible with the character and size of surrounding residences and represents an appropriate use of the subject lands. Site Plan Control will ensure appropriate and safe lot layout and functionality. It is our opinion that this application represents good planning.

Should you require any additional information, please do not hesitate to contact me at 613.542.5454 ext. 221.

Sincerely,



Mike Keene, MCIP RPP
Senior Planner

Appendix A - Proposed Zoning By-Law Amendment

1. Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from E to B.XX as shown on Schedule "A" attached to and forming part of By-Law No. 2015-_____.
2. By adding the following section XX to Part VIII: EXCEPTIONS TO THE VARIOUS ZONE CLASSIFICATIONS as follows:

XX. B.XX (241 University Avenue)

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, the lands designated 'B.XX' on Schedule 'A' hereto, the following regulations shall apply:

- | | |
|-------------------------------------------------------|-----------------------|
| a) Minimum front yard depth | 1.52 m |
| b) Minimum side yard width | 0.34 m |
| c) Minimum aggregate side yard width | 3.37 m |
| d) Maximum percentage of lot coverage | 33.2% |
| e) Maximum density | 114 units per hectare |
| f) Minimum number of required parking spaces | 3 |
| g) Minimum amenity area | 193.5 m ² |
| h) Minimum setback of a projection in the front yard: | 0.46 m |
| i) There shall be no separate play space requirement. | |

Schedule A



HERITAGE IMPACT STATEMENT ON 241 UNIVERSITY AVENUE, KINGSTON

by Jennifer McKendry PhD

Architectural Historian

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mckendry@kos.net 613-544-9535

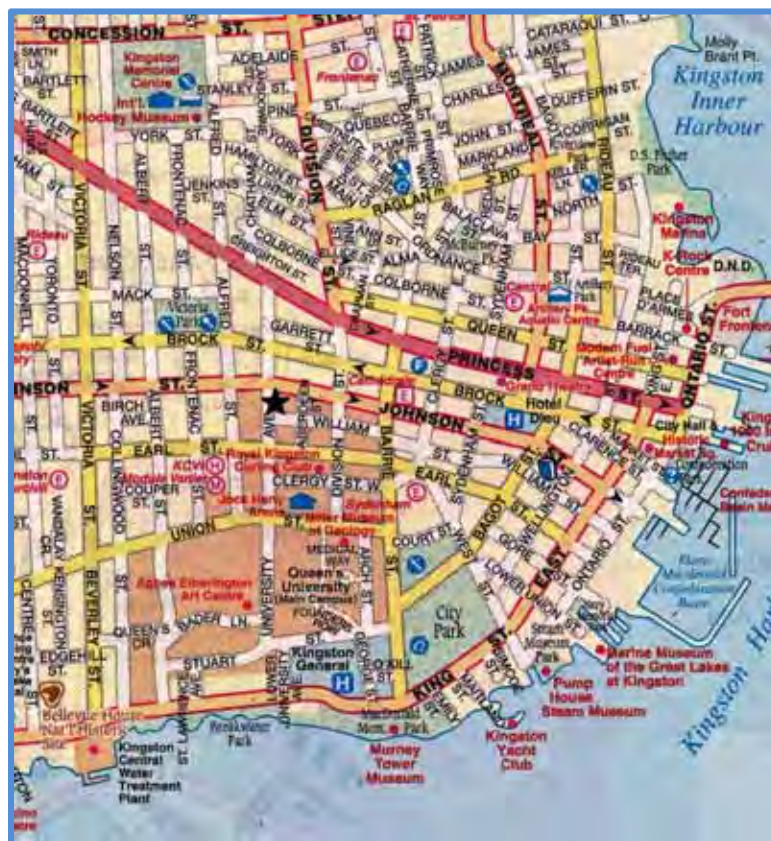
for Raymond Mak

45 Carlton Street, Suite 1408
Toronto, ON M5B 2H9

rmsh@hotmail.com 647-718-8082

25 October 2012

Photos by Jennifer McKendry, unless otherwise credited



Location of 241 University Ave (see star) in the context of central Kingston
Part of farm lot 24, part of block 0 (1), Mrs Nugent's lot part 1, originally part of Kingston
Township, now in the City of Kingston, Registered Plan No. A-12,
Roll # 1011 020 100 10800 0000

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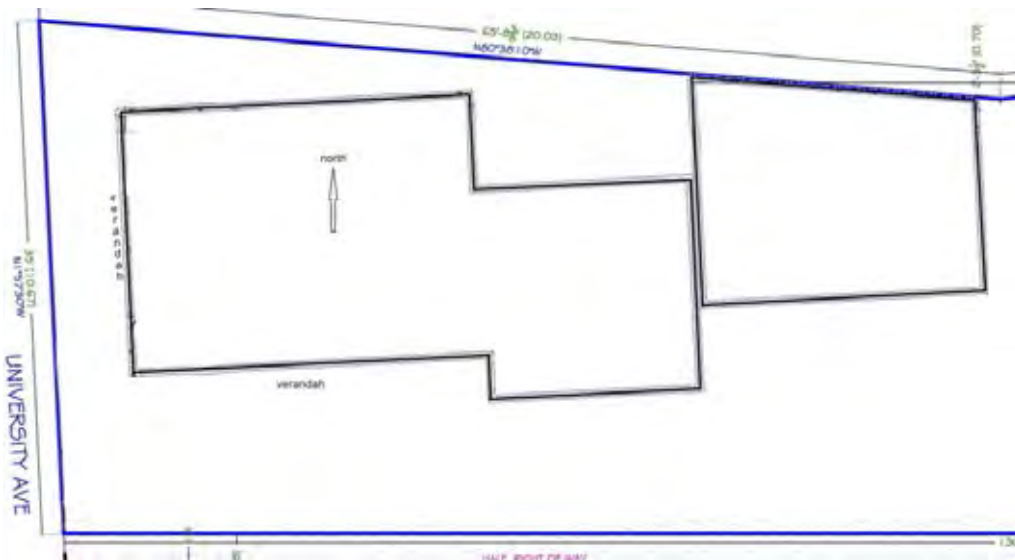
PROPOSED ACTIONS BY THE PROPERTY OWNER:

The property owner wishes to demolish the existing house and build a new apartment building on the site, primarily for student housing.

Heritage Impact Statement on 241 University Ave



Principal facade facing west; all visible surfaces are covered with modern materials; frame construction



Heritage Impact Statement on 241 University Ave



View from University Ave; the verandah is original, although the railing is recent; the door is modern; the 3-leaf clover is a reflection of the original owner's Irish roots



Heritage Impact Statement on 241 University Ave



East view of rear façade



Above South view of one-storey rear addition with lean-to roof



Heritage Impact Statement on 241 University Ave



North view with neighbouring yard in lower right corner

below View of back yard with 239 University Ave on the left; across the street is part of 234-242 University Ave



Heritage Impact Statement on 241 University Ave



North wall; the fence is on the neighbouring property



East corner of the main house showing the only surviving original window glazing bars (6 over 6)

Heritage Impact Statement on 241 University Ave



There are no basement windows; the cellar is inaccessible and apparently a crawl space; the squat foundation is covered by stucco – presumably over stone



This 2-panel door with glazing is likely original, whereas the front door is modern



Interior views:
main part has
two rooms
and hall

Left & right NE
main house,
dining room;
closed-in, wide
opening to front room, no fireplaces

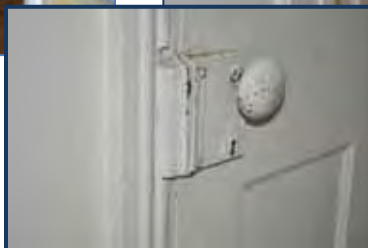


Left front room, main
house, parlour, no
fireplaces

Right side entrance hall
with stairs, no balusters,
etc.



Kitchen in wider back area;
brick chimney for woodstove



Four-panel doors with typical door
surround mouldings; hardware
typical of the late 19th century

NEARBY HERITAGE BUILDING



234-242 University Ave.

In 1876, builder and mason William Snowden buys lot 879 from the government and, in 1878, buys lot 878 for \$300. Two years later, he acquires the south part of lot 877 for \$375. The low prices indicate empty land but, by 15 April 1879, he is in a position to sell three residences of “fine appearance,” namely, 232, 234 and 238 on Gordon (now University) between Earl and Johnson Streets (*Daily British Whig*). There is a cistern in each house and hard and soft water pumps in the kitchens. One house has 9 rooms besides the closets, pantries and cellars, and rents for \$120 per year. Snowden appears to move from one unit to another to suit his clients (232 in 1883 and 234 in 1887-9, directories), when he loses the property to Isaac Simpson who immediately sells lot 878 and other land to George Cliff for \$9,400. Other occupants include the Spriggs family in 238 and the Goodfellow family in 1880 in 240 (tax assessment). Therefore, the

5-unit row is built by the spring of 1879, not in 1887 as published in 1985 in volume 6 of *Buildings of Historic and Architectural Significance*, City of Kingston (258-9).

Regardless of the date discrepancy, the row is a handsome design with wall units receding and advancing to add interest, the door and window surrounds in the Greek tradition and a

carriageway leading to the rear yards.



Part of 234-242 University Ave seen from the driveway of 241 University Ave

THE NEIGHBOURHOOD



Near the intersection with Johnson St; the red arrow is 241 University and blue is 234-242 University Ave which, in this area, is dominated by two-storey houses positioned close to the street.



Street setting showing 241 University with the Johnson St intersection on the left and 239 University on the right. In the distance is a three-storey brick building with a relatively flat roof.

Heritage Impact Statement on 241 University Ave



There are 2 modern buildings on the right of 241 University Ave (in grey)



251 University (at the corner of Johnson St), a handsome brick house built at a cost of \$4,000 in 1885 for William Elliott. The architect was Robert Gage. Looking towards William St --241 University Ave is the grey house left of the far pole.

Heritage Impact Statement on 241 University Ave



243 and 245 University Ave, Immediate neighbours of 241, are not on the fire insurance plan of 1908 but do appear on the one of 1924 (*right*). They are ordinary housing stock of the period and have little heritage value.



239 University, immediately next to 241, is a modern structure in a pragmatic design and has no heritage value. 237 University (*right*) is a modern structure with no heritage value.



Heritage Impact Statement on 241 University Ave



227-231 University Ave at the corner with William Street in relationship to 241 University (see arrow). This brick row predates the extension in 1898 of William St to University Ave.

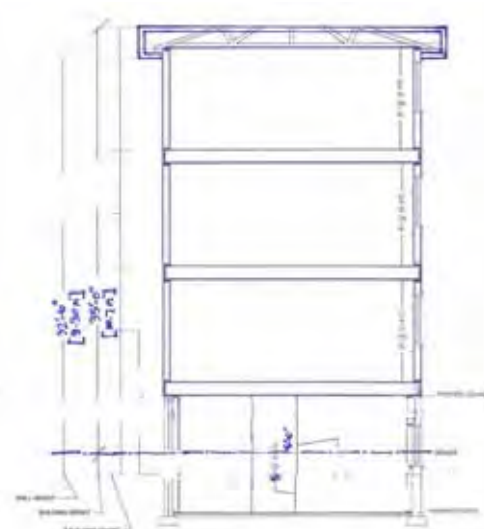


THREE PROPOSALS BY ADAM J. STELMASZYNSKI FOR A REPLACEMENT BUILDING ON THE SITE OF 241 UNIVERSITY AVE

Adam Stelmazynski, B.Arch., President, Home Plan Online Canada Inc.
 67 West Fifth Street, Hamilton, ON, L9C 3N5
 289 700 1717 adam@floorplanonline.ca www.floorplanonline.ca



Drawings for a proposed 3-storey plus finished basement apartment building, red brick veneer on frame construction over a poured concrete foundation. These are the same for the following 3 concepts, which vary in set-backs (either 20 or 5 feet) from the street and the form of roof (either flat or sloped hip). In the floor plans, the top one represents the upper two floors (which have the same lay out).



The basement does not appear in these alternative elevations, as it is mainly below grade.

CONTEXT

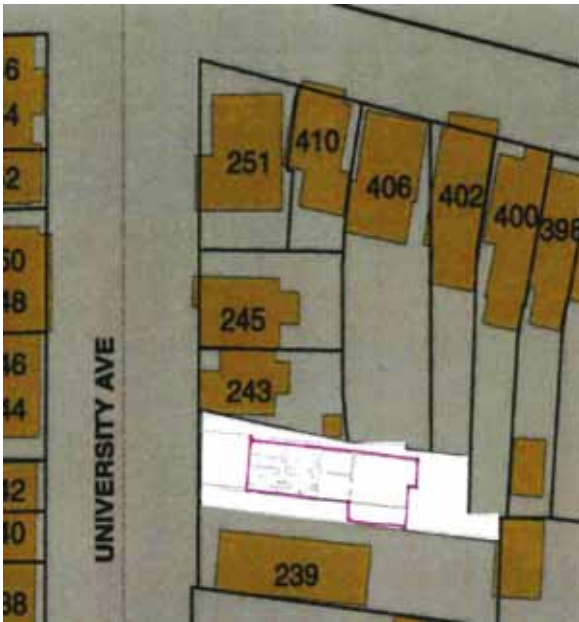
By Adam Stelmaszynski



A. Elevation, including a garage facing University Ave, in context. The roof is flat.



B. Elevation in context, without a garage fronting University Ave but with a hip-slope roof and a canopy. Assuming the building is set-back 5 feet from the street, the latter acts as a kind of porch with parking confined to the rear yard. If the building is set-back 20 feet from the street, there is a canopy extending over half that distance and sheltering 2 cars plus a garage door.



SITE ISSUES CONCERNING PARKING & SET BACKS

CONCEPT 1

Adam Stelmaszynski's scheme showing a 2-car garage fronting University Ave with additional 2-car parking in the front yard. The proposed building is set back 20 feet from the lot line, permitting 4 parking spaces off University Ave.

CONCEPT 2

Adam Stelmaszynski's concept showing a two-car garage fronting University Ave with additional 3-car parking in the back yard with a proposed acquisition of a right of way between 402 and 406 Johnson St and additional land purchased from 400 Johnson St. The front of the residence is set back five feet from the lot line.

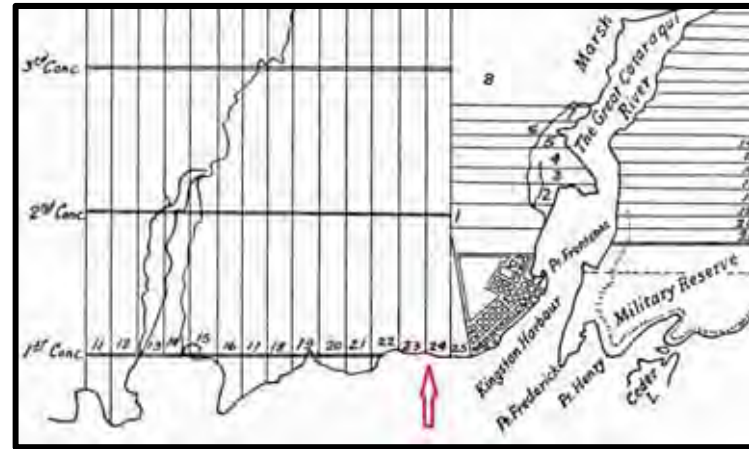


CONCEPT 3

Adam Stelmaszynski's concept showing no garage fronting University Ave with all parking in the back yard with a proposed acquisition of a right of way between 402 and 406 Johnson St and additional land purchased from 400 and 402 Johnson St.

HISTORY OF THE PROPERTY

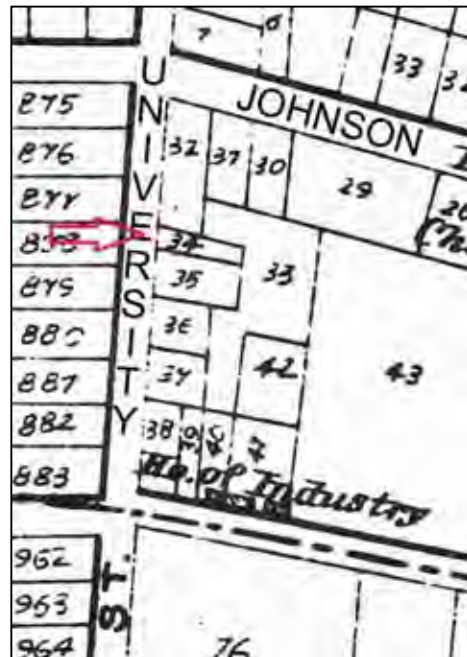
Note: Gordon St is now University Ave



Loyalist grants (Preston 1959)

Farm lot 24, composed of 200 acres of bush running north south from the lakeshore to Concession Street and Barrie St to University Ave to east west, was granted to a Loyalist, the Reverend John Stuart, rector of St George's Church (now Cathedral), and inherited by his son, the Reverend George Stuart who subdivided it. University Avenue more or less divides lot 23 from lot 24.

Left Innis map 1865¹



Right Meacham atlas 1878

¹ Oddly, the Innis map shows no buildings in this part of University Ave but the tax assessments & directories indicate buildings.

Heritage Impact Statement on 241 University Ave

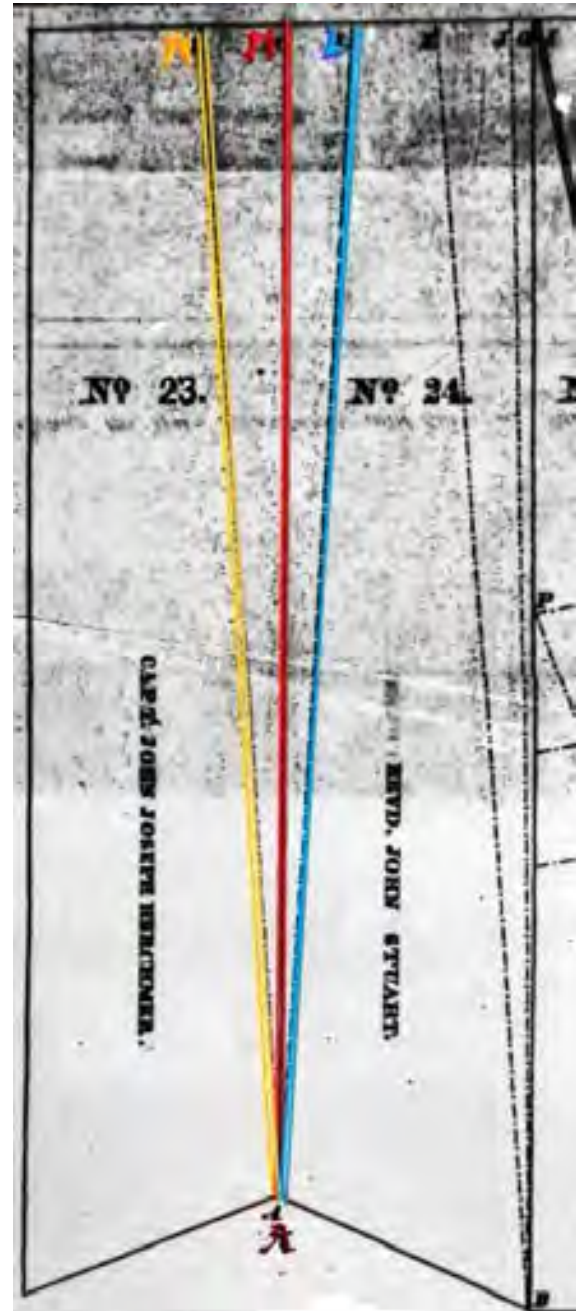
DATE	TYPE OF TRANS-ACTION	GRANTOR	GRANTEE	COMMENTS
1796	Patent for Farm Lot 24	Crown	John Stuart	200 acres
1835	B & S (bargain & sale)	George Okill Stuart	Christopher Fegan	1/5 acre for £30
1846	B & S	Christopher Fegan	William Donnelly	1/10 acre for £22
1850	Subdivision of Farm Lot 24 into labelled blocks: Block O (1) is bounded by Johnson, William, University & Aberdeen Streets			
1852	B & S	Christopher Fegan	William Donnelly	1/10 acre for £120
1854	B & S	William Donnelly	Dennis Nugent & wife	1/10 acre for £200 east side Gordon
1855	B & S	Dennis Nugent & wife	Patrick Nugent	1/10 acre for £200
1857	B & S	Patrick Nugent & wife	William Donnelly	1/10 acre for £200
1880		Crown	Edward Nugent	Mentioned in the transaction for 1899 (below)
1899	B & S	William & Mary Jane McCartney, contractor	Edward Nugent, machinist	Piece in rear of Nugent's lot E side Gordon, \$35
1934	consent	Treasurer of Ontario	Estate of Edward Nugent	
1948	grant	Heirs & administrators (Kane, McDonell, Doyle, Sherman) of estate of Elizabeth Nugent	Mary & George C. Beswick	\$5,750 and other land
1962	certificate	Treasurer of Ontario	Estate of George Beswick	
1971	grant	Mary Wilson (formerly Beswick)	William S. & Mary Beswick	66 x 42 x 14 x 23 x 52 x 66 ft

Heritage Impact Statement on 241 University Ave

The site of 241 University – a narrow, irregularly shaped lot, only about 35 feet wide – originated as part of a large acreage stretching from the shore of Lake Ontario to Concession Street. It is on the western border of the 200-acres (farm lot 24) granted to the Reverend John Stuart, a Loyalist, in the late 18th century. The neighbouring farm lot to the west remained undeveloped north of Union Street until the early 1870s, because it was Ordnance Land preserved for potential defensive purposes. To the east was the fledgling town of Kingston, which expanded in 1850 to engulf farm lot 24. Under the ownership of John's son, the Reverend George Okill Stuart, farm lot 24 was developed for his home, Summerhill, in the late 1830s and a de facto village, Stuartsville, for the working class on the west side of Barrie Street. Other important developments included the building of a general hospital in the 1830s and the creation of Union Street around 1840.

There was much tension between the owners of farm lots 23 and 24 due to incorrect surveys starting in 1783. It was not until the 1840s that a new survey line was accepted by the Herchmers (lot 23) and the Stuarts (lot 24), and which influenced the diagonal route of University Avenue. In this plan published by Stuart in 1843,² the diagonal lines AN and AL represent the incorrect surveys while the straight middle line AM is the final boundary. The lake lies to the south of "A." University Avenue was not officially opened until 1854 but in fact already existed. The name changed from Gordon Street to University Avenue in 1890.

Despite the uncertainty about the boundary between farm lots 23 and 24, George Stuart subdivided building lots along his side of the unofficial University Avenue and, in 1835, sold $\frac{1}{5}$



² George Okill Stuart (attributed), *Mentoriana or a series of Communications Published in the Kingston Herald between the Years 1839 and 1844, on the Subject of the Statute Law of the Province, or the Law of the Land, Establishing the True Boundaries and Lines of Survey on a Permanent Basis, and Thereby Securing the Rights of Land in the Original Patents to the Loyalists and their Heirs* (Kingston, 1843). CIHM 50422 and *Communications, Published in the Kingston Herald; Supplementary to Mentoriana* (Kingston, 1844). CIHM 45513. The boundary dispute and disposition of University Ave is discussed in Susan M. Bazely and Jennifer McKendry, "Stage 1 Archaeological Assessment, 218 University Avenue, City of Kingston," July 2012.

acre to Christopher Fegan for £30, a low sum suggesting no buildings on the lot. In 1846, Fegan, having split his lot into two, sold one-tenth acre to William Donnelly for the low sum of £22. Six years later, he sold the remaining half to Donnelly but this time for £120, indicating it contained buildings. Indeed, on a map of 1842 (NMC 17437, *right*) a building is shown on the site, and must have been built by Fegan between 1835 and the date of the map. It was likely in log or frame and of modest pretensions. There were eight buildings from Johnson to Earl (William Street will not be extended to University Ave until 1898).



In 1854, Donnelly sold one of his one-tenth acre lots to Dennis Nugent and his wife. It contained a house, because the price was relatively high -- £200. This was the beginning of a long relationship of the property with the Nugent family who retained it until 1948. In fact, surveys still refer to it as “Mrs Nugent’s lot.” The Nugents were Roman Catholic emigrants from Ireland. Dennis Nugent and his wife sold the property in 1855 to Patrick Nugent for the same price as they had bought it a year earlier. In a puzzling move Patrick and his wife then sold it to William Donnelly in 1857 for the same price. This must have been a ploy of some kind as, basically, it seems to have been in the Nugents’ possession into the first half of the 20th century. In the city directory for 1857-58, it was Dennis Nugent Senior (born in 1800) and Dennis Junior, both sawyers, living there. By 1865, there was only one Dennis who was living with Peter Nugent, a sailor, and, two years later, only Peter was there. His brothers were Thomas and Patrick. Peter died in late 1870 at age 42.³ In the tax assessments⁴ for 1870, it is the widow Alice Nugent (1803-1871, perhaps the widow of Dennis) who lives there with one other person but, by 1872, it is the widow (probably the widow of Peter), Elizabeth or Eliza, in the house along with five of her children.

It was under the ownership of the widow Eliza Nugent that the existing house at 241 University Ave was built in 1874, as can be deduced from the tax assessment records. The property was consistently assessed for \$200, which radically increased to \$500 in that year. It is likely that the old house (built sometime between 1835 and 1842) from the era of Christopher Fegan was demolished and a new frame one built to accommodate Eliza’s relatively large family. The style and detailing of the house support a date in the 1870s, when houses were built with the gable end facing the street and in an L-shaped plan with verandahs attached to the front and side leading to a doorway in the wider back section. The windows were originally double-hung sash, six over six, which would soon give way to two over two in popularity. There is no sign of fireplaces in the interior and, by the mid 1870s, woodstoves were the main source of heat. There is no

³ Names such as Peter, Edward, Alice and Elizabeth appear in different generations, making it difficult to be certain of the relationships. There are 14 members of the Nugent family among the records of St Mary’s Cemetery. Ages recorded in the censuses are often inaccurate making the situation even more difficult.

⁴ The tax assessments specify lot 34 for the Nugent family. The land registry does not give a lot number in the abstract index. Lot 34 is shown in Meacham’s county atlas of 1878.

Heritage Impact Statement on 241 University Ave

indication that Fegan’s house survived and was enlarged to the degree it more than doubled the value of the property. His early house no doubt had its long walls parallel to the street, unlike the current house.

In 1883-84, there were two Edward Nugents – one a machinist and one an engineer – at “241 Gordon” but only one the next year, likely Eliza’s son (born in 1856) who was described as a machinist in the 1881 census (above). His siblings included Lizzie, a seamstress, and Alice, Mary Jane and Maggie, all students. In 1898, their mother Eliza (noted as the mother of Edward in cemetery records) died at age 72. The next year, Edward increased the property by acquiring for \$35 some land from a neighbour. This may help explain the odd shape of the current property. In 1934, Edward died at age 80. The house was lived in by Elizabeth Nugent, who died in 1948 at age 80. With her passing, the property was sold to Mary and George C. Beswick for \$5,750 including other land.

Today, the house is rented to students by the Mak family.

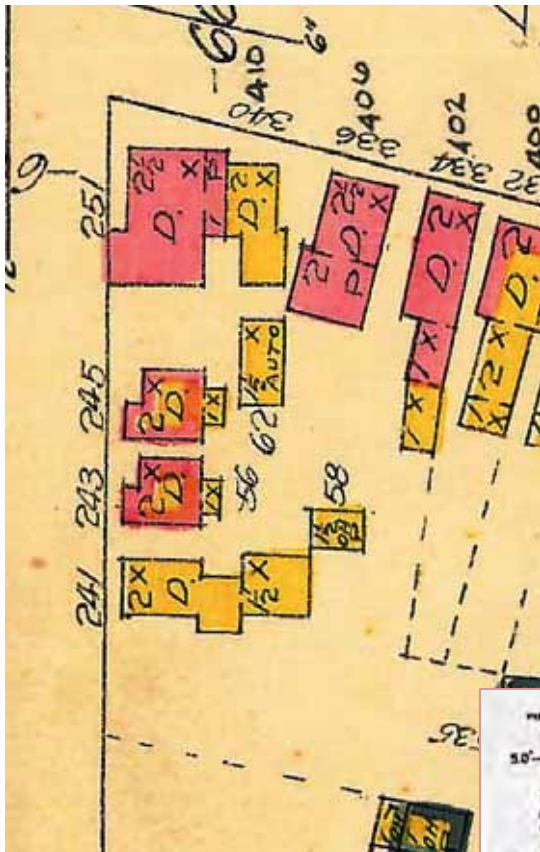
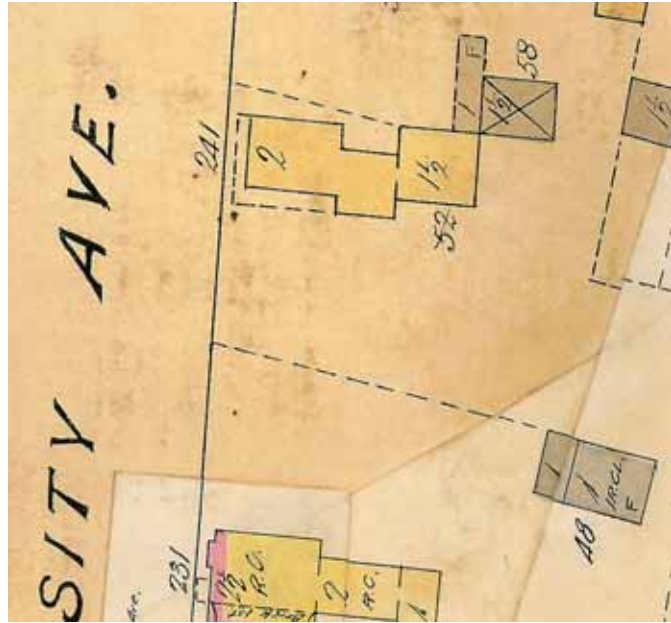
1892 – 1904
Johnson at top, University on left

Fire Insurance plan



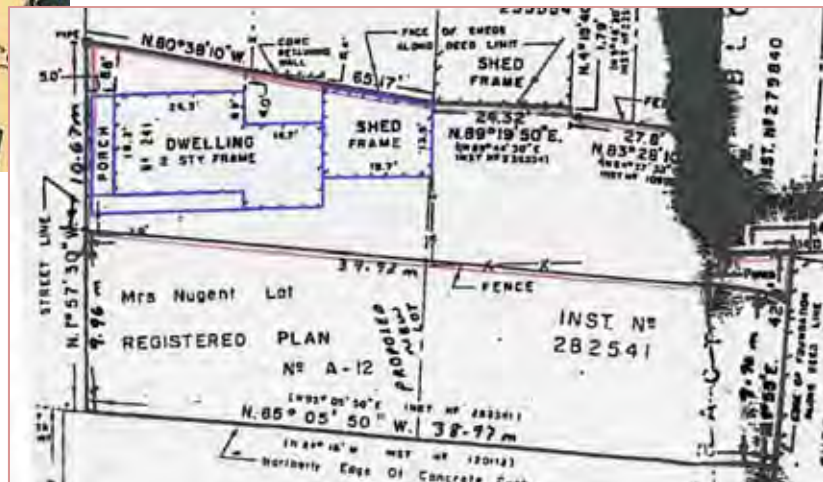
Heritage Impact Statement on 241 University Ave

1908



1924

1984



Heritage Impact Statement on 241 University Ave

HERITAGE VALUE OF 241 UNIVERSITY AVE		
POSITIVE ASPECTS	NEUTRAL	PROBLEM ASPECTS & COMMENTS
	An early building site for this part of Kingston (the site persists regardless of the buildings)	
Relatively early in date 1874		A time of great building activity, many examples survive from that period making the potential loss of this one less significant
	frame	
Original proportions survive		
Most of the original openings survive		Some openings recently inserted
Two 12-pane windows survive		Remaining windows have replaced glazing bars (but could be restored)
Original door on south jog		Modern front door
Attractive, original verandah detailing with symbolic 3-leaf clover		Poorly made modern verandah railing; Original woodwork may be factory made; The verandah is the only distinguishing architectural feature
		Modern siding and trim on exterior
		Modern vent in upper gable wall at front
		No significant historical interior features
		Stucco over very low foundation
Endurance of Irish emigrant family, female owner/builder, skilled workers in family		No politically or historically significant owners or occupants
Set back on street compatible with other buildings in the neighbourhood		Replacement building could mimic this
Height compatible with other buildings in the neighbourhood		Replacement building could respect this
		Buildings flanking the existing building have little or no heritage
Faces a good heritage row across the street		A replacement building could respect the heritage building across the street

Heritage Impact Statement on 241 University Ave

The argument to preserve the existing building has merits but its loss would likely not significantly damage the heritage assets of the city. As it now stands, the building ties in well with the neighbourhood, even though the buildings to the south are modern. The houses on University Avenue from Clergy to Johnson Streets form a good bulkhead against the expansion of large institutional structures associated with Queen's University, which has protected the ones on the east side of University from Clergy (as it existed until recent years) to Earl Streets during the construction of the new Queen's Centre.⁵ The heritage of this area for family living during the last quarter of the 19th and first quarter of the 20th centuries has thus been protected. This places a great burden on any replacement building at 241 University Ave to respect this tradition. As the frontage is only about 35 feet and the maximum height predetermined by city regulations, perhaps a new, carefully designed, building would not overly disrupt the street vista.

PLEASE SEE PAGE 28 "SUMMARY" FOR A LIST OF PREFERENCES.



Above University Avenue
from William to Johnson
Streets



East side of University Ave
from from Earl to Clergy

⁵ For the houses on both sides of University between Earl and Clergy, see volume 7, *Buildings of Architectural & Historic Significance*, City of Kingston (2004): 44-55 and, for ones on the east side, Jennifer McKendry, "Chronology of University Avenue from Earl to Union Streets, including the Students' Memorial Union and the Gymnasium." Consultant's report for Bray Heritage and Queen's University, 2005.

ASSESSMENT OF THE MERITS OF THE PROPOSED REPLACEMENT BUILDING AT 241 UNIVERSITY AVE BY ADAM STELMASZYNSKI FOR RAYMOND MAK

From a heritage point-of-view, the placement of parked cars between the building and street is unacceptable, as in Concept 1 (p. 17). As can be observed in the general photographs throughout this report, this space is and was typically for grass, trees, shrubs, flowers and paths leading to houses. Historically, horses, carts and wagons were housed in back yards entered through lanes, right of ways and occasionally through a carriageway opening in a house or row.

Also unacceptable – from a heritage point-of-view – is the placement of a garage door dominating the principal façade, especially on the narrow expanse of wall available because of the site restrictions. It is not echoing a historical carriageway, which was open from the street to the back yard and which was either a minor or balancing element in a broad expanse of wall.



Examples of traditional carriageways at 102 Queen Street (left) and 30-36 Sydenham Street



Proposal for 241 University Ave showing a garage door

The elevation on the right is much more acceptable, as it closer in appearance to an ordinary house front with windows on the street level instead of a garage door. The canopy adds visual interest but only if it functions as a porch. If it is to shelter parked cars, this is unacceptable. In order to place parking at the rear, the owner needs to acquire rights of ways to Johnson Street and additional land for parking in the block's inner core but this is beyond the scope of this heritage report.

If the space for parking for a new building cannot be satisfactorily resolved, consideration should be given to maintaining and even restoring the existing building, which currently has parking in its back yard.



GUIDELINES FOR A REPLACEMENT BUILDING

Any replacement building should be set back in relationship to the other buildings on the street, in other words, close to the sidewalk (as is proposed in Concepts 2 & 3). Parking should not be permitted on the front lawn of the building. A wide garage door in the front façade is not acceptable.

A new building should be confined to three storeys plus a finished elevated basement (appearing as a foundation for the other storeys). The impact of the top storey creating too high a building (for its width) could be addressed by such devices as a mansard roof, gambrel roof, broad dormer and gable front. At the least, a front hip roof is acceptable (as proposed in elevation B, p.25).

A new building should respect traditional forms without becoming a pastiche through decorations.

A new building should use rectangular windows (as proposed), preferably double-hung sash, 2 over 2.

A new building should use traditional materials on the façade, such as red brick (as is proposed), stucco, clapboard or stone or a combination, all of which are found on neighbouring buildings.

Consideration should be given to recycling verandah elements on the front or rear of the building.

Thought should be given to breaking up the flat front wall by devices such as bay windows and contrasting brick patterns, as found in numerous turn of the 20th century houses.

Thought should be given to the possibility of using a gable front to tie-in with other buildings on the street.



326 Alfred Street, an example of a mansard roof forming the top storey in a modern building

Heritage Impact Statement on 241 University Ave



170 Barrie (left) with a gambrel roof and 148 Barrie with a mansard roof.



176 King St East (left) and 437 Johnson Street with a bay window and gable end forming the top storey; dormers would be necessary in the length of the roof for other rooms



196 (at Earl) and 198-200 University with brick continuing into the gable

SUMMARY

IN ORDER OF PREFERENCE:

1. Preserve the existing house.
2. Preserve the existing house and restore it closer to its 1870s appearance.
3. Preserve the existing house, demolish the one-storey back wing and replace with a larger, modern addition.
4. Preserve the existing house, demolish all but the main front part and add new portions to it while keeping the verandah intact.
5. Demolish the existing house, and build a replacement influenced by the guidelines suggested in this report.
6. Demolish the existing house, and build Elevation B but with no parking in front.

In general, the existing house is compatible with the neighbourhood and is of some heritage interest. The proposed replacement building is too ambitious for the restrictions of the site and — unless modified in design and built without parking or a garage entrance in the front — will adversely change the heritage nature of the neighbourhood.

IMPACT OF A REPLACEMENT BUILDING ON 234-242 UNIVERSITY AVENUE:

- No significant impact if the guidelines are followed

QUALIFICATIONS OF AUTHOR

JENNIFER McKENDRY

www.mckendry.net

Dr McKendry's book, *Into the Silent Land: Historic Cemeteries & Graveyards in Ontario*, evolved out of her interest in architectural history, photography, and book designing. Author of numerous books, reports, and articles on historical aspects of Ontario, such as *With Our Past before Us: 19th-Century Architecture in the Kingston Area* and *Portsmouth Village: an Illustrated History*, she is a member of the Society for the Study of Architecture in Canada, the Frontenac Heritage Foundation and the Kingston Historical Society. She has given presentations to each organization, and each has presented her with an award for her work.

She received her Ph.D. from the University of Toronto in 1991; her thesis was on the architecture of Kingston, 1835 to 1865. She lives in a restored house of 1860 in Kingston, and has given illustrated lectures and papers in various locations in Canada, as well as in the United States.

Currently, she is working as a freelance researcher for such organizations as Bray Heritage and the City of Kingston. Recent work includes a history of Lake Ontario Park, historical overviews for numerous archaeological assessments and the architectural histories of old Sydenham Ward, Kingston Provincial Campus, the Frontenac County Court House and Kingston City Hall.

Along with Peter Milliken and Arthur Milnes, Jennifer McKendry is one of the authors of *Kingston & the Thousand Islands, Then & Now*.

REFERENCES

SOURCES FOR THE PROPERTY HISTORY, including tax assessments, directories, censuses, land transactions, Kingston newspapers, Meacham county atlas 1878, maps and surveys, records for St Mary's Cemetery

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- _____. *Communications, Published in the Kingston herald; Supplementary to Mentoriana* (Kingston, 1844). CIHM 45513.

**Addendum to Heritage Impact Statement
241 University Avenue, Kingston, ON.
18 November 2014**

**Andrew J. Hill
Heritage Consultant / Historical Research
Belleville, ON.
andrewjhill@live.ca
613-920-1284**

The following report is an addendum to a Heritage Impact Statement researched and written by architectural historian Jennifer McKendry, for Raymond Mak, owner of the 241 University Avenue property in Kingston, Ontario. McKendry's report addresses three proposed plans for the replacement of the property's existing 1873-74 structure. Each of these plans was found unacceptable from the perspective of heritage, and preservation/restoration of the current building's main massing, rear addition and rear property parking, is recommended. As the least preferable alternative, however, McKendry does suggest that loss of the building "would likely not significantly damage the heritage assets of the city, and that "perhaps a new, *carefully designed*, building would not overtly disrupt the street vista."¹

Mr. Mak has opted to have a new structure designed that would best preserve the heritage character of the surrounding University Avenue Streetscape. Details of the proposed design are illustrated in Appendix A. In this addendum, the new design will be weighed in light of the criteria for the design of a new structure, proposed by McKendry in her Heritage Impact Statement.

The present author agrees with Ms. McKendry's conclusion that replacing the existing structure is the least preferred option.² However, the present design is almost entirely in keeping with McKendry's guidelines and is, from the author's perspective, and acceptable.

McKendry offers the following guidelines for a new structure.³ An assessment of the proposed design is offered in italics after each criteria.

GUIDELINES FOR A REPLACEMENT BUILDING

[1] Any replacement building should be set back in relationship to the other buildings on the street, in other words, close to the sidewalk (as is proposed in Concepts 2 & 3). Parking should not be permitted on the front lawn of the building. A wide garage door in the front façade is not acceptable.

- ✓ *The proposed building is appropriately set back 1.5 m, which is the same as the existing structure, and in line with adjacent buildings.*
- ✓ *Parking is not permitted on the front lawn, and there is no façade-side garage door.*

[2] A new building should be confined to three storeys (ideally, two storeys) plus a finished elevated basement (appearing as a foundation for the other storeys). The impact of the top storey creating too high a building (for its width) could be addressed by such devices as a mansard roof, gambrel roof, broad dormer and gable front. At the least, a front hip roof is acceptable (as proposed in elevation B, p.31). A stepped-back in height design could also be considered.

- ✓ *The proposed building is confined to three storeys, plus an elevated basement.*
- ✓ *A gable roof has been incorporated into the building's design, which supports a broad pediment. (see No.7).*

[3] A new building should respect traditional forms without becoming a pastiche through decorations. A new building should use rectangular windows (as proposed), preferably double-hung sash, 2 over 2.

- ✓ *The structure respects traditional forms without giving the appearance of replication. The designer has included the following elements to give the structure an appearance which is sympathetic to its surrounds:*
 - *Lintel caps with very low triangular peaks – these are necessary to mitigate an otherwise institutional impression.*
 - *A half-round opening in the structure's front gable.*
 - *The use of dividing bands between storeys, which resemble the traditional concrete string courses of many heritage buildings.*
- ✓ Double-hung, 2 over 2 windows have been used in the design.

[4] A new building should use traditional materials on the façade, such as red brick (as is proposed), stucco, clapboard or stone or a combination, all of which are found on neighbouring buildings.

- Traditional materials do not figure prominently in this design. However, the choice of siding does emulate the clapboard of the original the 1873-74 structure.

[5] Consideration should be given to recycling verandah elements on the front or rear of the building.

- ✓ The verandah columns and ornamentation have been recycled.

[6] Thought should be given to breaking up the flat front wall by devices such as bay windows and contrasting brick patterns, as found in numerous houses built at the turn of the 20th century.

- ✓ The new design breaks-up the front wall through the use of banded courses and colours.

[7] Thought should be given to the possibility of using a gable front to tie-in with other buildings on the street.

✓ A gable front has been used.

One of the most pressing concerns regarding any replacement structure of this size is, its vertical lift when contrast with neighbouring structures. As McKendry notes, “Given that the replacement building is proposed to contain a basement plus three full storeys and will be necessarily narrow due to the restricted lot width, it could appear to tower over the neighbouring buildings.”¹ Two roof styles have been explored for the proposed building – a front gable and a mansard roof (see pages 9 and 11). In some cases the use of a mansard roof can be used effectively to reduce the impression of a building’s vertical lift, by incorporating the third storey in to the “roof”. In the case of the proposed structure, the parapet roof above the mansard, negates this intended effect, and does not offer a favourable appearance. On the other hand, the parapet is effectively integrated with gable front, as recommended by McKendry. The use of a gable front with flanking parapet walls is not uncommon in heritage buildings and, in this case, helps to reduce the visual impact of the stair tower vestibule. The vestibule has been set-back as far as possible and will have minimal visibility and a low impact on the streetscape.

As indicated in [4] above, the structure does not make use of traditional materials, although the choice of siding emulates the clapboard of the original structure. Since the present structure is a replacement building, rather than an addition, it is reasonable to suggest that traditional materials, consistent with neighbouring structures, should take precedence. In this case, however, preserving some semblance with the previous structure is consistent with No. [5]: the reuse of original verandah elements. Given this choice, the designer has worked with the author to ensure some features that are consistent, and supportive, of the surrounding buildings and University Avenue Streetscape. These include the choice of lintels, and the half-round front pediment opening.⁵ In this way, the desire for both continuity and context are addressed.

Conclusion:

While preservation of the original structure’s main massing remains the most desired option, the present structure has been carefully designed to minimize any negative effect on the heritage value of the surrounding streetscape. Moreover, features have been adopted to preserve a sense of continuity with the existing structure, while at the same time supporting, in a tastefully measured manner, the heritage character of surrounding streetscape. The proposed design is acceptable.

ENDNOTES

¹ McKendry, Heritage Impact Statement on 241 University Avenue, Kingston. Manuscript on file, City of Kingston, 28.

² McKendry, 34.

³ Ibid., 32.

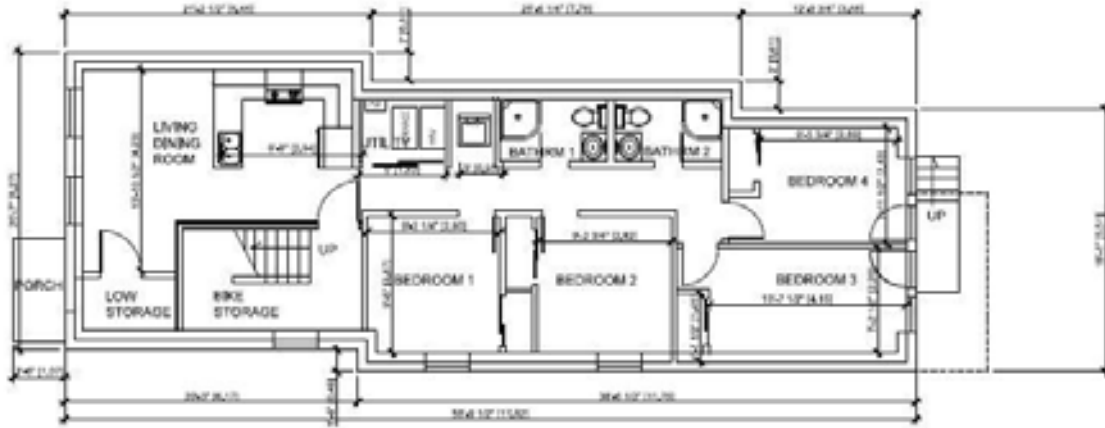
⁴ Ibid., 28.

⁵ see photos from McKendry, pp. 10 to 13.

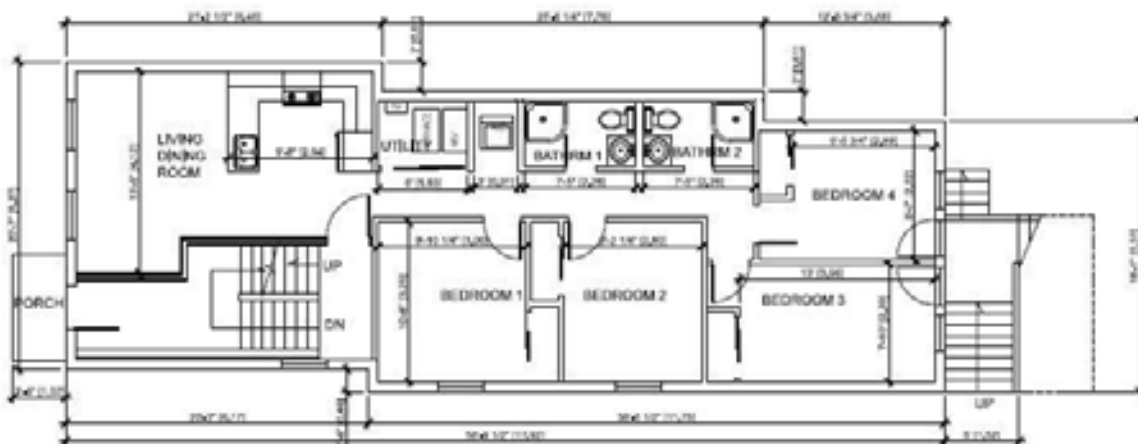
REFERENCES

McKendry, Jennifer

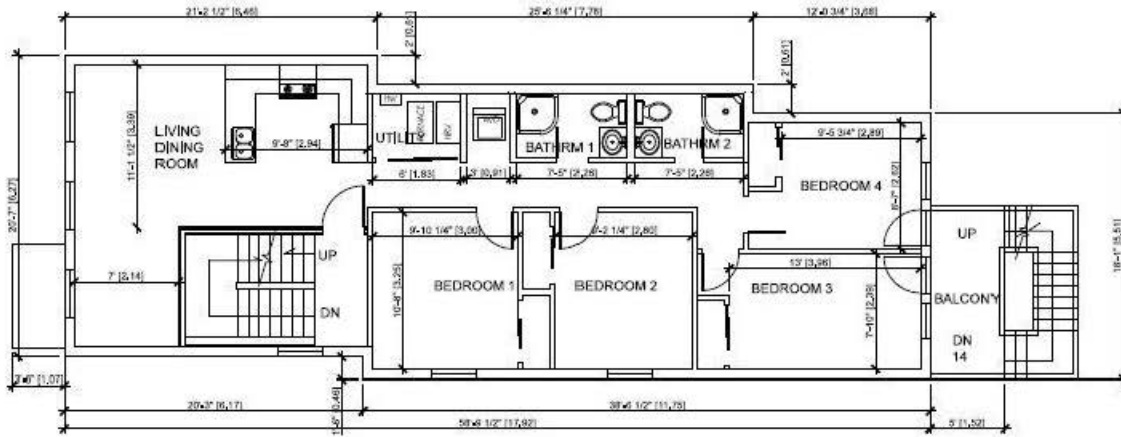
2012 Heritage Impact Statement on 214 University Avenue, Kingston. Manuscript on file, City of Kingston.



A2.1
241 UNIVERSITY AVENUE
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DATE: 10.27.14 10:11:47

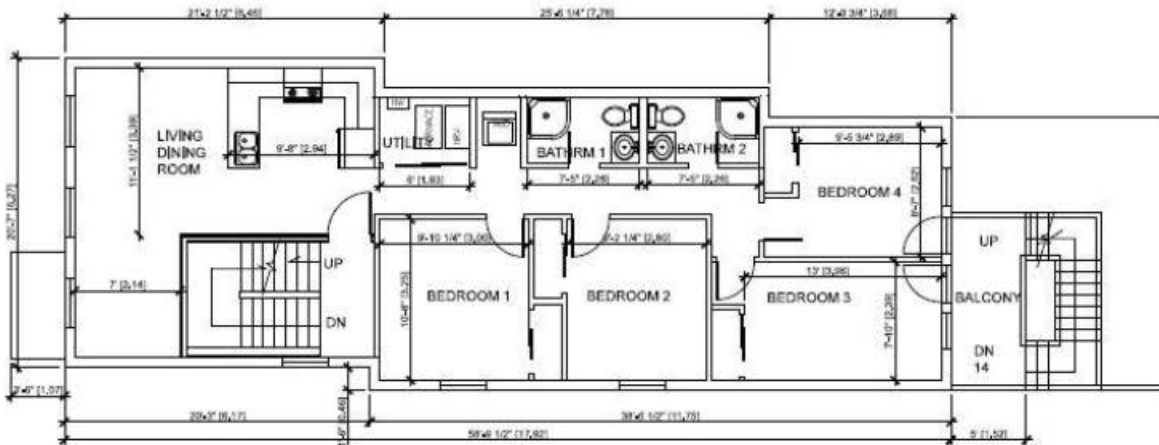


A2.2
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RESIDENTIAL PLAN - PROPOSED
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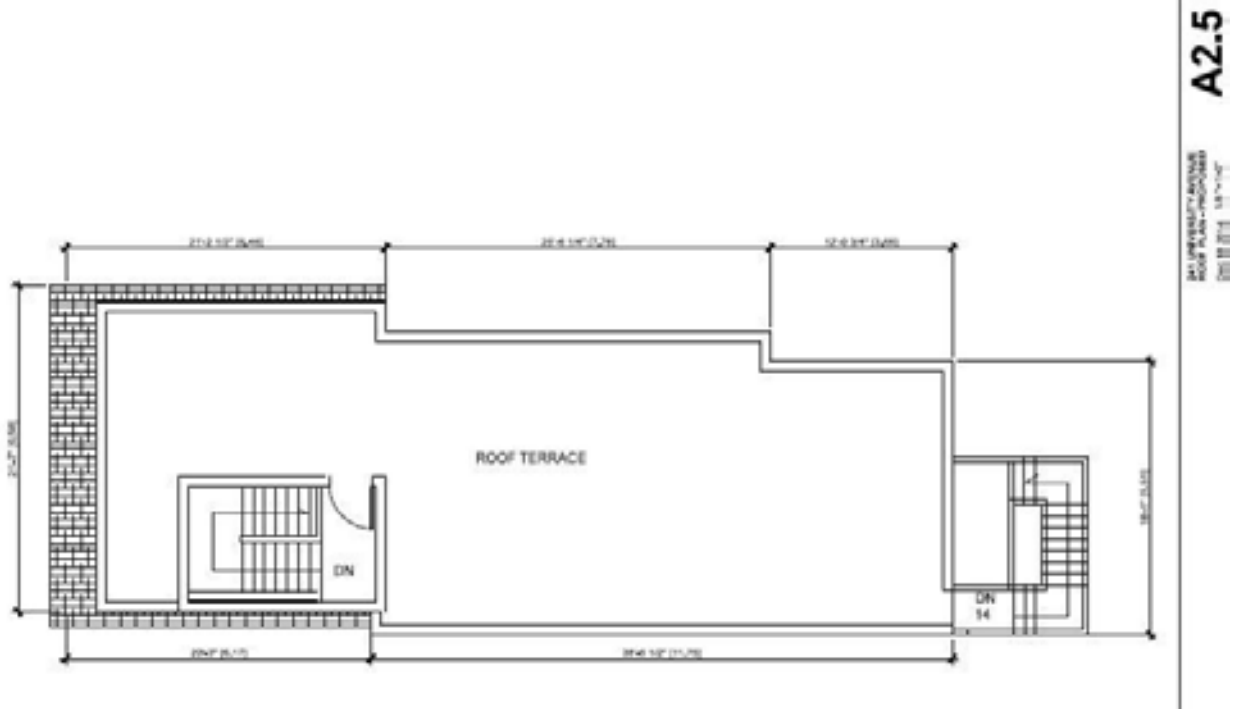
A2.3

241 UNIVERSITY AVENUE
2ND FLOOR PLAN - PROPOSED
DEC 18, 2014 1/8" = 1'-0"



A2.4

241 UNIVERSITY AVENUE
3RD FLOOR PLAN - PROPOSED
DEC 18, 2014 1/8" = 1'-0"



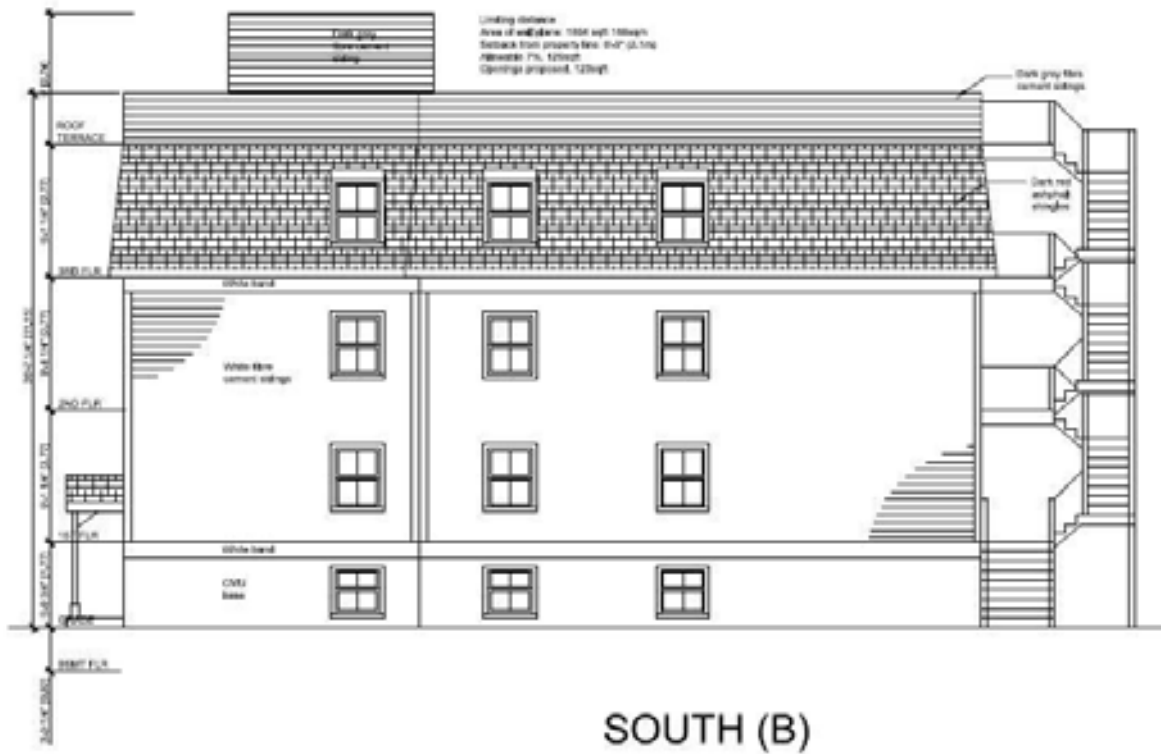


A3.1a
 241 UNIVERSITY AVENUE
 ELEVATION - PROPOSED
 Dec 19, 2014 10:51:47

Note: Option B, which employs a mansard roof, is not recommended



A3.1b
241 UNIVERSITY AVENUE
KINGSTON ONTARIO
DATE: 27 OCT. 2014 10:11 AM



A3.2b
 241 UNIVERSITY AVENUE
 KINGSTON, ONTARIO
 DATE: 10/27/14

Qualifications of the Author

Curriculum Vitae (condensed)
Andrew James Hill. MA
Heritage Consultant / Historical Researcher
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Education

- 1997 to 2000 PhD coursework and research. Department of Philosophy.
 & York University. Toronto, ON.
- 1996 & Master of Arts. Department of Philosophy. University of Guelph. Guelph, ON.
 & Thesis on the examination of historical scholarship.
- 1994 & Bachelor of Arts, with honours. Departments of History and Philosophy. Wilfrid Laurier University. Waterloo, ON.

Training / Workshops

- 2012 & Association of Professional Archaeologists. One-day workshop focusing on the
 & modernization of archaeology, ground penetrating radar, and new mapping
 & technologies (Wilfrid Laurier University).
- 2012 & Ottawa Archaeological Society. One-day workshop on historical archaeology:
 & The evolution of ceramics and the identification of ceramic artifacts (Bonnechere
 & Provincial Park).
- 2011 & University of Waterloo Heritage Resource Centre. Four-day heritage planning
 Workshop addressing legislation and the evaluation of built heritage (Royal
 Canadian Horse Artillery Club, Kingston).
- 2009 Cataraqui Archaeological Research Foundation. Five-day course on
 Archaeological theory and field work (Royal Military College, Kingston).
- 2008 & Ontario Ministry of Culture. Two three-hour workshops on creating statements
 of significance for heritage properties (Queen's University).

Professional Employment

- 2008 to 2013 **Andrew Hill Heritage Consulting and Historical Research.** Kingston, ON.
 &
 Current and recent projects / clients:
- 2014 **The Corporation of the City of Kingston.** Kingston, ON. Heritage Consultant.
 Heritage by-law being researched and written for the Kingston Penitentiary
 National Historic Site, 560 King Street West, Kingston, ON.
- 2014 **Michael Preston Design.** Kingston, ON. Heritage Consultant.

Heritage Impact Statement for proposed addition and alterations to
“Hardy’s Buildings”, 128-132 Ontario Street, Kingston, ON.

Selected projects / clients:

2012 to 2013 **Scarlett Janusas Archaeological and Heritage Consulting and Education.** Tobermory, ON. Historian. Responsible for historical research, interpretation, and written reports in support of archaeological assessments for seven sites (to date) related to the proposed eastern extension of Provincial Highway 407.

2012 **Atlantic Archaeology Services, Inc.** Halifax, NS. Historian. Responsible for historical research, interpretation, and written reports in support of archaeological assessments at Debert Air Industrial Park: site of former Canadian Forces Base Debert, and the Debert-Belmont Palaeoindian archaeological site.

2011 to 2012 **Central Archaeology Group, Inc.** L’Amble, ON. Historian and Cultural Heritage Specialist. Responsible for historical research, interpretation, and written reports for Stage 1 to 4 archaeological assessments; as well as heritage impact statements. Projects include:

- Artillery Park, Kingston, ON. Historical background.
- Anglin Bay Parking Lot, Kingston, ON. Historical background.
- Babcock Mill Dam, Odessa, ON. Heritage Impact Statement.
- & Former Mid-Canada Radar Line, Polar Bear Provincial Park, ON. Historical background.
- & Tydendingaga Mohawk Territory, Hastings County, ON. Historical background.
- Princess Street corridor, Kingston, ON. Historical background “the Big Dig”.
- Gooderham Worts Estate, Toronto, ON. Historical background.

2011 to 2012 **Frontenac Heritage Foundation.** Kingston, ON. Administrative Director. Duties included promoting the Foundation, communicating with its membership, maintaining its website, and coordinating regular tours, guest speakers and special events; set agenda and record minutes for monthly Board of Directors meetings.

2010 to 2011 **Bray Heritage.** Kingston, ON. Heritage Consultant. Historical property research and heritage character statements written for over 250 properties in the City of Kingston’s proposed Old Sydenham Heritage Area Conservation District.

2009 to 2011 **The Corporation of the City of Kingston.** Kingston, ON. Heritage Consultant. Existing heritage property by-laws researched and re-written for several major Kingston landmarks, including:

- Cataraqui Cemetery
- Kingston General Hospital
- Confederation Park
- Fort Frontenac (City owned parcel)
- Old Imperial Oil Shed (9 North Street)

2008 to 2011 **Cataraqui Archaeological Research Foundation.** Kingston, ON. Historian. Responsible for historical research, interpretation, and reports in support of archaeological assessments. Projects include:

- & Contaminated Soils Report, Kingston, ON. Historical background for four Kingston properties: 377 Wellington Street (Douglas Fluhrer Park), 9 North Street (Old Imperial Oil Shed), 362 Montreal Street (Community and Family Services building), and 576 Montreal Street (former site of I. Cohen Steel Company).
- & 8 Wing Trenton, Trenton, ON. Historical background for eight adjacent farm lots in the former Township of Sidney, in lieu of a proposed expansion of the military base (formerly CFB Trenton).
- & 190 Clergy, Kingston, ON. Historical background for a property adjacent to the former boundaries of McBurney Park, incorporating a history of the park and the former “Upper Burial Ground” cemetery.

2010 **Michael Preston Design.** Kingston, ON. Heritage Impact Statement for a proposed severance of the 76 Gore Street property in Kingston.

2009 to 2010 **The Corporation of the City of Kingston.** Kingston, ON. Heritage property research and interpretation. Statements of significance written for approximately 120 properties in the proposed Old Sydenham Heritage Area Conservation District.

2009 **Cataraqui Archaeological Research Foundation.** Kingston, ON. Field technician on archaeological dig at the Royal Military College of Canada in Kingston, ON.

2009 **Helen Finley.** Kingston, ON. Heritage property research, interpretation, and written report on the 52-56 Earl Street property, known as “The Winston.”

2009 **Lucinda Bray.** Kingston, ON. Heritage property research, interpretation, and written report on the 21 Sydenham Street property in Kingston.

2008 **Lilly Inglis.** Kingston, ON. Heritage property research, interpretation, and written report on the 23 Sydenham Street property in Kingston.