



**City Of Kingston
Heritage Kingston
Meeting Number 09-2017
Minutes
Wednesday September 6, 2017 at 9:30 a.m.
Council Chamber, City Hall**

Committee Members Present

Councillor Peter Stroud; Chair
Councillor Liz Schell
Paul Carl
Mac Gervan
Peter Goheen
Catherine Hyett
Megan Kerrigan
Donald Taylor

Regrets

Patricia Fiori
Sherman Hill
Jamie McKenzie-Naish

Staff Members Present

Ms. Agnew, Director, Planning, Building & Licensing Services
Ms. Campbell, Manager, Cultural Heritage
Mr. Conners, Tree Inspector
Ms. Hurdle, Commissioner, Community Services
Ms. Jaynes, Deputy City Clerk
Mr. Kanellos, Director, Facilities Management & Construction Services
Ms. Kimm, Planner
Mr. Leary, Senior Planner
Mr. McLeod, Senior Legal Counsel
Mr. Newman, Manager, Policy Planning
Mr. Thompson, Committee Clerk

Others Present

Members of the Public were present

Meeting to Order

The Chair called the meeting to order at 9:33 a.m.

Approval of the Agenda

Moved by Mr. Gervan

Seconded by Councillor Schell

That the agenda be amended to include the addendum, and as amended, be approved.

Carried

Moved by Mr. Carl

Seconded by Councillor Schell

That consideration of Motion 'a' be deferred to a special meeting held on September 13, 2017 at 9:30 a.m.

Carried

Confirmation of Minutes

Moved Councillor Schell

Seconded by Mr. Carl

That the Minutes of Heritage Kingston Meeting Number 08-2017 held Wednesday August 2, 2017 be approved.

Carried

Disclosure of Pecuniary Interest

Mr. Goheen declared a pecuniary interest regarding Application for Heritage Permit under the Ontario Heritage Act - 72 Sydenham Street as he is a member of the congregation.

Mr. Carl declared a pecuniary interest regarding Application for Heritage Permit under the Ontario Heritage Act - 390 King Street West as he is employed by Queen's University.

Mr. Gervan declared a pecuniary interest regarding Pre-Application Consultation - 218 King Street East as he is the agent for the applicant.

Delegations

There were none.

Presentations

There were none.

Briefings

- a) Ms. Campbell, Manager, Cultural Heritage was present to speak to the Committee regarding cultural heritage landscapes.

Ms. Campbell conducted a PowerPoint presentation regarding cultural heritage landscapes. A copy of the PowerPoint presentation is attached to the original set of minutes located in the City Clerk's Department.

Mr. Taylor questioned whether a zoning by-law provides sufficient protection or if a designation is required to protect a landscape. Ms. Campbell responded that Mr. Newman recently spoke to the Cultural Heritage working group regarding this matter. Mr. Newman suggested that appropriate properties should be listed to ensure that they are given consideration when zoning by-law amendments are proposed. Mr. Newman provided the Committee with background information regarding zoning by-laws.

Mr. Carl commented that reviewing the mapping was a powerful exercise as areas that are not often associated with having cultural heritage value were discussed. He questioned if there would be an opportunity to conduct a similar exercise utilizing DASH. He questioned if consideration has been given to views from Lake Ontario looking towards the city. Ms. Campbell stated that she will speak to GIS to determine what type of digital mapping is available. Mr. Newman spoke to Barriefield as a good example of an area with several vantage points. He mentioned that it is important to designate where the viewer should be standing.

Councillor Schell thanked staff for providing the Committee with a list of tasks to consider related to this matter. She suggested that the list is almost too large and should be refined. She indicated that Queen's University has likely studied many of the items.

Business

- a) **Cultural Heritage**
- b) **Policy Development and Implementation**
- c) **Heritage Assets**
 - i. **Pump House Steam Museum**
 - ii. **MacLachlan Woodworking Museum**
- d) **Statutory Business**
 - i. **Subject: Application for Heritage Permit**
Address: 390 King Street West (P18-714)
File Number: P18-076-2017

Mr. Carl withdrew from the meeting due to a pecuniary interest.

Ms. Kimm provided the Committee with an overview of the Report.

Mr. Taylor sought further clarification regarding the height of the sign. Ms. Kimm responded that the proposed sign is approximately three meters in height and is slightly shorter than the nearby bus shelter.

The Chair afforded members of the public with an opportunity to provide comment.

Ms. Finley suggested that having a signage plan for the facility would be beneficial. She stated that she does not have any objections with the sign. She mentioned that temporary signs are ugly and referenced the signs which are often used to advertise upcoming events at the site as an example. She suggested that any future signage should be similar in design. She questioned if a marquee will be installed in the future.

Mr. Mitchell questioned if the signage will meet accessibility requirements.

Ms. Kimm indicated that the applicant has indicated that the signage lighting will be on a timer and adjustable to mitigate glare. She stated that the sign will go through the signage approval process. She commented that it is her understanding that there are not any future plans for additional signage. She noted that any future applications would have to conform to the sign by-law.

The agent indicated that there are not currently plans for additional signage.

Moved by Councillor Schell
Seconded by Mr. Gervan

That alterations to the property at 390 King Street West, be approved in accordance with details described in the application (File Number P18-076-2017), which was deemed complete on August 18, 2017 with said alterations to include the installation of one new ground sign in the northwest corner of the property; and

That the approval of the alterations be subject to the following conditions:

1. The intensity of any colour shall be adjusted so as to mitigate potential light pollution;
2. The applicant is encouraged to consider the use of blue coloured LED lighting to match that of other City of Kingston signage;
3. A Sign Permit shall be obtained, as necessary;
4. The applicant shall confirm with Engineering and Building that the location of the sign does not encroach into the right-of-way; and
5. Locates shall be obtained prior to any excavation. Isolation of the power lines may be required by contacting Utilities Kingston.

Carried

ii. Subject: Heritage Property Grant Application
Address: 329 Johnson Street (P18-169)
File Number: P18-049-2017 (HG-19-2017)

Mr. Carl returned to the meeting.

Ms. Kimm provided the Committee with a summary of the Report.

Councillor Stroud sought further information regarding the portion of the wall being cleaned. Ms. Kimm responded that the wall is an attribute and indicated that cleaning the wall will improve the appearance of the façade. She stated that the process in question is not part of the routine maintenance schedule. Councillor Stroud sought further explanation regarding routine maintenance. The agent responded that the portion of the wall being cleaned is located high up on the building and cannot be cleaned with a pressure washer. He indicated that washing the ground level is considered routine maintenance. He mentioned that a contractor is required to complete this task.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

Moved by Ms. Hyett
Seconded by Mr. Carl

That the Heritage Property Grant application for the designated property at 329 Johnson Street, be provisionally approved, subject to the standard requirements pertaining to the completion of the works and the release of funding, in accordance with details described in the *Ontario Heritage Act* application (File Number P18-049-2017) and Heritage Property Grant application (HG-19-2017).

Carried

**iii. Subject: Heritage Property Grant Application
Address: 329 Johnson Street (P18-169)
File Number: HG-19-2017 (P18-049-2017)**

Consideration of this matter occurred during business item d. ii.

**iv. Subject: Application for Heritage Permit under the Ontario Heritage Act
Address: 258 Main Street (P18-489)
File Number: P18-067-2017**

Ms. Kimm provided the Committee with an overview of the Report.

The Chair sought confirmation that the comments submitted via DASH were captured correctly in the report. Mr. Carl indicated that he provided a submission which was not included in the report.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

Mr. Carl indicated that he is supportive of the application.

Mr. Gervan noted that he is familiar with the property and commented that the driveway has always been an issue. He stated that the walkway is a good idea. He indicated that he is supportive of the application.

Moved by Mr. Gervan
Seconded by Mr. Taylor

That alterations to the property at 258 Main Street, be approved in accordance with the details described in the application (File Number P18-067-2017) which was deemed complete on August 10, 2017, with said landscaping alterations to include the reinstatement of a two-tiered, terraced front lawn with new central steps, subject to the following conditions:

- a) All new planting materials shall have regard for the recommended species noted in Section 4.7 and Appendix D of the Village of Barriefield Heritage Conservation District Plan;
- b) An Encroachment Permit shall be obtained, as required, unless the applicant can demonstrate that the work is entirely located within the property limits;
and
- c) If the work is within the City's road allowance, the applicant acknowledges that the City may require this area for water and sewer main repair or maintenance, future road improvements or improved pedestrian access; the applicant is also informed that the City will not undertake any operations, maintenance or replacement of the proposed landscaping behind the municipal sidewalk.

Carried

v. **Subject: Application for Heritage Permit**
Address: 130 Johnson Street (P18-045)
File Number: P18-072-2017

The Committee recessed.

Mr. Leary provided the Committee with a summary of the Report.

The Chair sought confirmation that the comments submitted via DASH were captured correctly in the report. Members of the Committee confirmed that the submissions were captured correctly.

The Chair afforded members of the public with an opportunity to provide comment.

Mr. Gower referenced page 119 of the agenda and indicated that it outlines what should be done to heritage buildings. He commented that this building has been left for some time and is now in need of repairs.

Mr. Taylor referenced his comments submitted via DASH. He indicated that he is impressed with the proposed work. He mentioned that he is surprised that the lintels are being removed to be strengthened with steel. He noted that it appears that many of the sills with cracks are being replaced. He stated that the sills are not load bearing and suggested that they be left in place. He spoke to the contractor preparing their own lime putty and suggested that heritage mortar should be considered. Mr. Kanellos spoke to the lintels and sills and indicated that as much of the original stone as possible will be retained.

Moved by Ms. Kerrigan
Seconded by Councillor Schell

That alterations to the property at 130 Johnson Street be approved in accordance with details described in the application (File Number P18-072-2017), which was deemed completed on August 9, 2017, with said alterations to include the following:

1. Overall pointing, repair and/or replacement of selected portions of the stone building;
2. Repairs and repainting of all windows, doors and wooden components of the building in colour tones that match the existing; and

That the approval of the alterations be subject to the following conditions:

1. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration on Heritage Buildings; and
2. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings.

Carried

- vi. Subject: Application for Heritage Permit under the *Ontario Heritage Act*
Address: 72 Sydenham Street (P18-362)
File Number: P18-039-2017**

Mr. Goheen withdrew from the meeting due to a pecuniary interest.

Mr. Leary provided the Committee with a summary of the Report.

The Chair sought confirmation that the comments submitted via DASH were captured correctly in the report. Members of the Committee confirmed that the submissions were captured correctly.

The Chair afforded members of the public with an opportunity to provide comment.

Members of the public did not provide comment.

Mr. Gervan sought further explanation regarding the proposed door. The agent provided further information regarding the door.

Councillor Stroud stated that he is supportive of the proposal. He commented that there are often challenges when you improve the accessibility of a heritage building. He indicated that he believes the proposal overcomes the challenges and addresses the accessibility concerns.

Ms. Hyett sought further clarification regarding the steps. The agent provided information regarding the proposed design of the steps.

Mr. Taylor mentioned that the applicants preferred design was not accepted by the City due to the proposal impeding on the lot line. He stated that the design before the Committee is not the preferred design. He noted that it is not permitted to have a ramp headed directly towards a street. Mr. Leary explained that new encroachments are not permitted in a road allowance. He indicated that the proposal will keep the ramp on the property rather than the right of way. He stated that the proposal before the Committee is the preferred option from the City's perspective.

Ms. Hyett sought further information regarding the steps. The agent spoke to the construction of a new landing and indicated that the steps will be resurfaced. He indicated that the steps will meet the Building Code.

Moved by Councillor Schell
Seconded by Ms. Hyett

That alterations to the property at 72 Sydenham Street be approved in accordance with the details described in the application (File Number P18-039-2017) which was deemed complete on August 9, 2017, with said alterations to include the following:

1. Modification to the side entrance facing William Street, including adding glazing and altering the operations of the door, in order to allow barrier-free access into the building;
2. Installation of a new barrier free access ramp with black metal railing and concrete platform;
3. Installation of concrete over existing steps and walkway; and

That the approval of the alteration be subject to the following conditions:

1. A Building Permit be obtained;
2. The new concrete be tinted in a grey tone in order to minimize the contrast with the limestone wall;

3. Tree protection fencing for the existing trees shall be installed on either side of the proposed walkway/ramp redevelopment in order to protect the existing root system from unnecessary compaction;
4. A service request be submitted to Utilities Kingston, as necessary; and
5. Drawings and specifications submitted as part of the Building Permit process be provided to Planning staff for review to ensure consistency with the Heritage Permit.

Carried

**vii. Subject: Application for Heritage Permit
Address: 67 Sydenham Street (P18-1199)
File Number: P18-078-2017**

Mr. Goheen returned to the meeting.

Mr. Leary provided the Committee with an overview of the Report.

The Chair sought confirmation that the comments submitted via DASH were captured correctly in the report. Members of the Committee confirmed that the submissions were captured correctly.

The Chair afforded members of the public with an opportunity to provide comment.

Ms. Cova provided information regarding the willow tree that recently fell. She stated that the board believes that the remaining willow trees should be removed. She spoke to an arborist report related to the trees and commented that the report did not consider risk. She spoke to the location of the trees in relation to the buildings. She expressed concern regarding liability if the trees are retained. She spoke to the importance of heritage in Sydenham District as well as the urban canopy. She indicated that the courtyard needs to be updated so it can continue to be enjoyed by residents.

Mr. Goheen withdrew from the meeting at 11:35 a.m.

Ms. Salzmann stated that many residents have a different opinion regarding this matter. She commented that removing all the willow trees will impact property value. She stated that the removal of the trees will also reduce shade on the property and impact the heritage designation. She noted that regular maintenance has not occurred on the trees. She stated that the reports support retaining two of the trees. She spoke to the responsibility of properly maintaining trees. She indicated that if the trees are removed the aesthetics and tree canopy in courtyard will not be easily replaced. She noted that it has been suggested that proper pruning and bracing will make the trees safe.

Mr. Mitchell mentioned that the trees were planted on Chalmers Church which was destroyed in 1890. He expressed concern that property owners are facing undo hardship as this matter is being micromanaged. He indicated that that this matter should have been addressed by staff internally. He spoke to the process and suggested that it be more flexible moving forward. He mentioned that there are many trees in Sydenham District and indicated that there is a need for flexibility. He commented that there should be an overall plan for the courtyard and reiterated that each tree should not be looked at individually.

Ms. Wood, Davidson Houle Allen LLP Condominium Law stated that the condominium corporation does not want people to get hurt. She commented that many people have brought safety concerns forward to the board. She spoke to the role and obligations of the board. She indicated that based on an arborist report, the board would like to remove all three willow trees. She noted that a maintenance plan has been in place since 2012.

Mr. Miles spoke to the property as a heritage property. He provided information regarding the condition of the trees.

Councillor Stroud provided clarification regarding process and indicated that the final decision regarding this matter rests with Council.

Mr. Carl questioned if the City has concerns from a liability standpoint.

Mr. Taylor mentioned that the application requested that all three trees be removed and noted that the recommendation is suggesting that only the one tree be removed. Mr. Leary confirmed that the application requested that all three trees be removed and explained that the recommendation before the Committee is reflective of staff's review of the application. Mr. Taylor suggested that the recommendation should have been written differently as it is not accurate. Councillor Stroud suggested that Mr. Taylor speak to staff regarding this matter.

Mr. Taylor referenced his comments submitted via DASH and indicated that he supports the removal of all three trees.

Mr. Taylor was of the opinion that it is strange that the Committee is dealing with an application regarding trees. He indicated that trees are not often considered a heritage attribute. He stated that the question should be whether or not the trees have reached the end of their sensible life. He indicated that he does not agree that trees should be considered individually as heritage attributes. He indicated that he does not support the recommendation.

Councillor Schell stated that the application is uncharted territory for the Committee. She questioned if the City is liable if the trees are pruned and a limb falls off. Mr. McLeod

replied that the Committee does not have liability. He spoke to Section 42 and indicated that it is appropriate for the Committee to deal with this matter. He clarified that the recommendation states that two trees be saved at the direction of the arborist.

Councillor Stroud requested that Mr. Taylor assume the role of Chair.

Councillor Stroud requested further information regarding the trees.

Mr. Conners informed the Committee that he did not perform the assessment of the trees and clarified that he reviewed the professional arborist reports from a methodology perspective. He stated that the recommendation is based on the information provided to the City. He stated that the methodology used is similar to the City's approach. He indicated that the methodology is sound.

Councillor Stroud commented that the trees are probably about 125 years old. He spoke to the possibility of root damage stemming from the parking lot. He stated that pruning the trees is very crucial and commented that if the maintenance plan is followed the trees should live for several more years. He stated that he is supportive of the recommendation.

Councillor Stroud resumed the role of Chair.

Mr. Taylor mentioned that during the winter the trees are bare and commented that there will be several cables attached to them. He stated that at some point the trees will need to be removed.

Councillor Stroud requested that Mr. Taylor assume the role of Chair.

Councillor Stroud stated that each of the trees is in a different condition. He indicated that it is impossible to suggest that all three trees are in the exact same state.

Councillor Stroud resumed the role of Chair.

Mr. Carl stated that he is supportive of the recommendation.

Councillor Schell mentioned that she agrees with the professional opinions and is supportive of the recommendation.

Moved by Mr. Carl

Seconded by Councillor Schell

That alterations to the property at 67 Sydenham Street, be approved in accordance with details described in the application (File Number P18-078-2017), which was deemed

completed on August 28, 2017, with said alterations to include the removal of one mature Weeping Willow tree (Tree 3) and the retention and pruning of the other two willow trees within the courtyard area adjacent to Earl Street (Trees 1 and 2).

That the approval of the alterations be subject to the following conditions:

1. Trees 1 and 2 (closest to Earl Street) be retained and pruned, in accordance with the arborist report (Exhibit B - Arborist Reports, provided by Applicant), to Report Number HK-17-051;
2. Replanting plans be advanced in a timely manner in order to replace the lost tree canopy, with trees commonly found within the District, as per the arborist report (Exhibit B - Arborist Reports, provided by Applicant); to Report Number HK-17-051 and
3. Utilities Kingston be contacted for powerline isolation if work cannot be completed a minimum of three metres from the powerlines.

Carried

**viii. Subject: Pre-Application Consultation
Address: 218 King Street East (P18-196)
File Number: F32-016-2017**

Mr. Gervan was present as the agent.

Mr. Carl withdrew from the meeting.

Ms. Kimm provided the Committee with a summary of the Report.

Mr. Gervan spoke to the proposed design.

Councillor Stroud stated that he is satisfied with the proposal.

Mr. Taylor commented that he does not have concerns with the proposal. He mentioned that the design is inspired by Asian architecture.

Ms. Hyett noted that she likes the design and commented that she would prefer a more domed look.

Councillor Schell commented that the addition will be eye catching.

e) Discussion regarding meeting date

Moved by Ms. Hyett
Seconded by Councillor Stroud

That Heritage Kingston meetings be held on the third Wednesday of the month at 9:30 a.m. commencing November 15, 2017.

Carried

f) Correspondence

- a)** Correspondence received from Ms. Campbell, Manager Cultural Heritage regarding Official Plan – Schedule 9.
- b)** Correspondence received from Ms. Wood regarding 67 Sydenham Street.

The Committee meeting concluded at 12:50 p.m. due to a lack of quorum.