



**City of Kingston
Report to Heritage Kingston
Report Number HK-17-063**

To: Chair and Members of Heritage Kingston
From: Lanie Hurdle, Commissioner, Community Services
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: November 15, 2017
Subject: Application for Heritage Permit under the *Ontario Heritage Act*
Address: 23 Sydenham Street (P18-1016)
File Number: P18-087-2017

Executive Summary:

The subject property at 23 Sydenham Street is located on the east side of Sydenham Street between Earl and West Streets. The property contains a yellow, two-and-a-half-storey wood dwelling constructed in 1866 with a side gable roof and intricate panelled designs on the front façade. The dwelling was previously owned by prominent Kingston architect Lily Inglis and her husband James Inglis. It was designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Area Conservation District.

An application for demolition and alteration under Section 42 of the *Ontario Heritage Act*, File Number P18-087-2017, has been submitted to request permission to demolish a small, one-storey brick shed at the rear of the lot located along Lily's Lane. This action is in response to a Property Standards Order which requires the shed's stabilization or demolition. The applicant has no immediate plans for a replacement structure. The application also includes a request to replace the existing roofing of the main dwelling and rear addition with new asphalt shingles to address leaking in the upstairs bedrooms.

This application was deemed complete on October 11, 2017. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 42(4). This timeframe will expire on January 9, 2018.

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Recommendation:

That Heritage Kingston recommends that this application be forwarded to Council on November 21, 2017 for consideration:

That it is recommended to Council that the demolition on the property at 23 Sydenham Street, be approved in accordance with the details described in the application (File Number P18-087-2017) which was deemed complete on October 11, 2017, with said demolition to include that of the shed at the rear of the property, subject to the following conditions:

- a) All required Demolition Permits shall be obtained;
- b) Any future reconstruction shall be subject to any necessary *Planning Act* approvals, as required; and

That Heritage Kingston supports Council's approval of the following:

That alterations to the property at 23 Sydenham Street, be approved in accordance with the details described in the application (File Number P18-087-2017) which was deemed complete on October 11, 2017, with said alterations to include the repair/replacement of the existing roofing of the main dwelling and rear addition, subject to the following conditions:

- a) The new asphalt shingles shall match those of the front porch, as closely as possible;
- b) The applicant is reminded that all objects/tools, etc. must maintain a safe clearance from the service lines. If work cannot be completed safely or if clearance cannot be maintained from the lines, the applicant will need to complete a service request and submit to Utilities Kingston for isolation of the power lines; and
- c) All required Building Permits shall be obtained.

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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:

Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Denis Leger, Commissioner, Corporate & Emergency Services	Not required
Mark Van Buren, Acting Commissioner, Transportation & Infrastructure Services	Not required

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Options/Discussion:**Description of the Application**

The subject property at 23 Sydenham Street is located on the east side of Sydenham Street between Earl and West Streets. The property contains a yellow, two-and-a-half-storey wood dwelling constructed in 1866 with a side gable roof and intricate panelled designs on the front façade attributed to William Coverdale. The dwelling was previously owned by prominent Kingston architect Lily Inglis and her husband James Inglis. It was designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Area Conservation District.

An application for demolition and alteration under Section 42 of the *Ontario Heritage Act*, File Number P18-087-2017, has been submitted to request permission to demolish a small, one-storey brick shed at the rear of the lot located along Lily's Lane. The shed is constructed of red brick with no foundation, and features wooden barn-style doors with a single window opening on the south side. The roof is currently bowing and has modern asphalt shingles. On the north side, it is supported by a tall wood fence. The applicant has submitted historic documentation demonstrating that the shed was added at the rear of the lot likely between 1911 and 1924. The applicant wishes to demolish the shed in response to a Property Standards Order which requires the shed's stabilization or demolition. The applicant has no immediate plans for a replacement structure.

The application also includes a request to replace the existing roofing with new asphalt shingles to address leaking in the upstairs bedrooms and unify the roofing throughout the main dwelling and rear addition. Currently, the main dwelling retains what is likely its original standing seam metal roofing on the gabled portion of the building. There are also asphalt shingles above the front porch and likely asphalt or tarred steel above the later stucco addition at the rear. According to the applicant, the porch roof is in fine condition and does not require replacement; he has indicated that the intention is to replace all the existing roofing materials with new asphalt shingles to match those above the porch, in a grey-brown colour.

All submission materials are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using "Look-up a Specific Address". If there are multiple addresses, search one address at a time, or submission materials may also be found by searching the file number.

This application was deemed complete on October 11, 2017. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 42(4). This timeframe will expire on January 9, 2018.

Reasons for Designation

The subject property is included in the Old Sydenham Area Conservation District created pursuant to Part V of the *Ontario Heritage Act* in 2015. The Property Inventory Evaluation rates this property as "significant" to the District. The description of this property as outlined in the inventory (Exhibit C - Property Inventory Evaluation) notes that the property has associative value, as the property was purchased in the 1960s by James and Lily Inglis; James Inglis was a professor at Queen's University and Lily Inglis was a renowned heritage advocate and architect.

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The laneway behind the subject property was named Lily Lane in her honour after her passing in 2010.

The description also notes a number of physical attributes that relate to the front façade of this property, as follows:

“The 23 Sydenham Street building is a two-and-a-half-storey wood building with a side-gable roof and a prominent front gable. The front gable covers two rectangular second storey windows in 12 pieces. These are divided by a wide pilaster with recessed square and rectangular panels above the pilaster is a pediment top featuring a sunburst design.”

“This is the only wood building along this stretch of Sydenham Street. Its design features and detailed woodwork blend with the features of its adjacent buildings. This structure compliments the historic character of the area, and is an important part of the Sydenham Streetscape between West and Earl Streets.” Recent documentation has noted that the design of the woodwork can be attributed to another prominent local architect, William Coverdale.

The full description and statement of cultural heritage value with all identified attributes has been included as Exhibit B.

Cultural Heritage Analysis

The subject property is located in the Beyond Bagot sub-area as defined in the Old Sydenham Heritage Conservation District (HCD). The list of heritage attributes in the HCD Plan (Section 2.3.3) include “a wide range of building types, materials and ages”, “buildings associated with some of Kingston’s best architects,” “rear lanes with outbuildings”, and “views of City Park”. The subject property is a contributing factor to a number of attributes in the District Plan, making it a culturally important part of the District. In particular, its association with Lily Inglis and William Coverdale make it a significant building. While this shed is located on a rear lane, the “outbuildings” noted as attributes relate to the carriage houses and other early structures, as demonstrated along either side of the lane (Exhibit A - Property Photographs). Additionally, the proposed replacement roofing materials will not modify the roof line and will not impact any noted views. As such, there will be no impact on the attributes of the sub-area or District.

Built Heritage Analysis

The Old Sydenham Heritage Conservation District Plan does not permit the removal of “Significant” heritage buildings (Section 2.6.2). However, this policy is intended to inform the evaluation of proposals to removal buildings, structure or attributes on a designated property, which contribute to the understanding of its heritage value.

The heritage value of the subject property was evaluated as part of the Property Inventory Evaluation that was undertaken for the creation of the Old Sydenham Heritage Conservation District Plan in 2015. The existing rear shed is not included in the description of the property, nor has it been identified as a heritage attribute of the property, District or Lily Lane. As per a review of the historic Fire Insurance plans, the shed was likely added some time between 1911 and 1924. No comprehensive evaluation against Regulation 09/06 under the *Ontario Heritage Act* has been completed for this shed; however, its materials and construction methods indicate that

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it has very little heritage value. The property inventory evaluation focuses on the attributes of the main dwelling and those facing Earl Street. Given the poor condition of the shed, as noted in the open Property Standard's order, staff have no concerns with its removal.

Section 4.3.1 of the District Plan recommends that where original metal roofing material remains in place, it should be reconditioned where possible. Where reconditioning is not possible, the Plan notes that it is preferable for replacement material to match the original or be compatible with the age and style of the building and recommends that the roof profile visible from the street remain unaltered (Section 5.3.1). If the original material has been replaced by asphalt shingles, the Plan also notes that new asphalt shingles which are solid in texture and dark coloured, are preferred.

The subject property currently features a mix of roofing materials including asphalt shingles, rolled asphalt and what is likely the original metal seam roof on the gable of the main dwelling. Given that the metal portions are nearly 150 years old, it is reasonable that replacement is necessary. The applicant has indicated that the roof has been repaired and patched many times and has retained a roofing expert who recommended replacement. Further, given the existing mix of materials, the applicant wishes to create a matching roof throughout. The applicant is proposing to use new asphalt shingles in a grey-brown colour, to match those above the front porch. While the profile of the roof of the main dwelling visible from the street will change, it will match those of the surrounding buildings. Further, the existing asphalt shingles above the porch are "mottled" in terms of colour; however, they do no attempt to mimic historic materials such as slate, which upholds the intent of Section 4.3.1. In these ways, the proposal will be compatible with the current building and the District, which in turn, meets the intent of the District Plan policies. Staff support the use of the proposed asphalt shingles as they will unify the roofing of the building, without distracting from the significant architectural features identified as attributes.

Conclusion

Upon review of the submitted materials, staff recommend approval of the submitted application, subject to the conditions outlined herein.

Previous Approvals

None on file.

Comments from Agencies and Business Units

This application was circulated to a number of internal departments who provided the following comments:

Planning Division: The subject property is within the 'Residential' land use designation of the City's Official Plan and is zoned 'B' Three to Six-Family Dwelling in Zoning By-Law Number 8499. There are no provisions that would preclude the removal of the shed or replacement roofing. Any future development at the rear of the property, particularly for a secondary suite, will be required to meet all necessary zoning and Official Plan policies. The applicant is aware that future *Planning Act* approvals may be required. Staff have recommended that the applicant and future owners submit a development pre-application file in order to review future plans. The applicant has indicated that a future submission is forthcoming.

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Building Division: A Demolition Permit is required for the removal of the shed. An application has already been submitted. A Building Permit will be required for any structural changes to the roof.

Kingston Hydro: The applicant is reminded that all objects/tools etc. must maintain a safe clearance from the service lines. If work cannot be completed safely or if clearance cannot be maintained from the lines, the applicant will need to complete a service request and submit to Utilities Kingston for isolation of the power lines.

Environment Division: No comments received.

Engineering Department: No comments.

Fire: No comments.

Property Standards: There is an open Property Standards File and an outstanding order relating to the poor condition of the shed at the rear of the property located along Lily's Lane. The applicant is working with staff to satisfy the conditions of the order through this application and with the Building Division.

Consultation with Heritage Kingston

Heritage Kingston was consulted on this application through the Development and Services Hub (DASH) system. The Committee's comments have been compiled and attached as Exhibit C.

Staff have received and considered all comments and submit the following in response:

Staff received only two comments in relation to this application. One member noted that in consideration of the poor condition of the shed and open Property Standards order, he was in support of the application. The other member noted no concerns with the removal of the shed, but suggested that metal replacement roofing would be better than the proposed asphalt shingles. Staff have forwarded this suggestion to the applicant, who is exploring metal replacement options, but he continues to prefer the matching asphalt shingles.

Existing Policy/By-Law:

Ontario Heritage Act, R.S.O. 1990, C.O. 18 (Province of Ontario)

By-Law Number 2013-141 Procedural By-Law for Heritage

Old Sydenham Heritage Conservation District Plan

Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*

Notice Provisions:

Pursuant to Section 42(3) of the *Ontario Heritage Act (OHA)*, notice of receipt of a complete application has been served on the applicant. As per Section 42(4) of the *OHA*, Council may,

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within 90 days after the notice of receipt is served, give the applicant: the permit applied for; a notice that Council is refusing the application; or the permit with terms and conditions attached.

Accessibility Considerations:

Not applicable

Financial Considerations:

Not applicable

Contacts:

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

Greg Newman, Manager, Policy Planning 613-546-4291 extension 3289

MacKenzie Kimm, Planner, Heritage 613-546-4291 extension 3251

Other City of Kingston Staff Consulted:

The application was circulated to a number of internal departments for review and all comments have been incorporated.

Exhibits Attached:

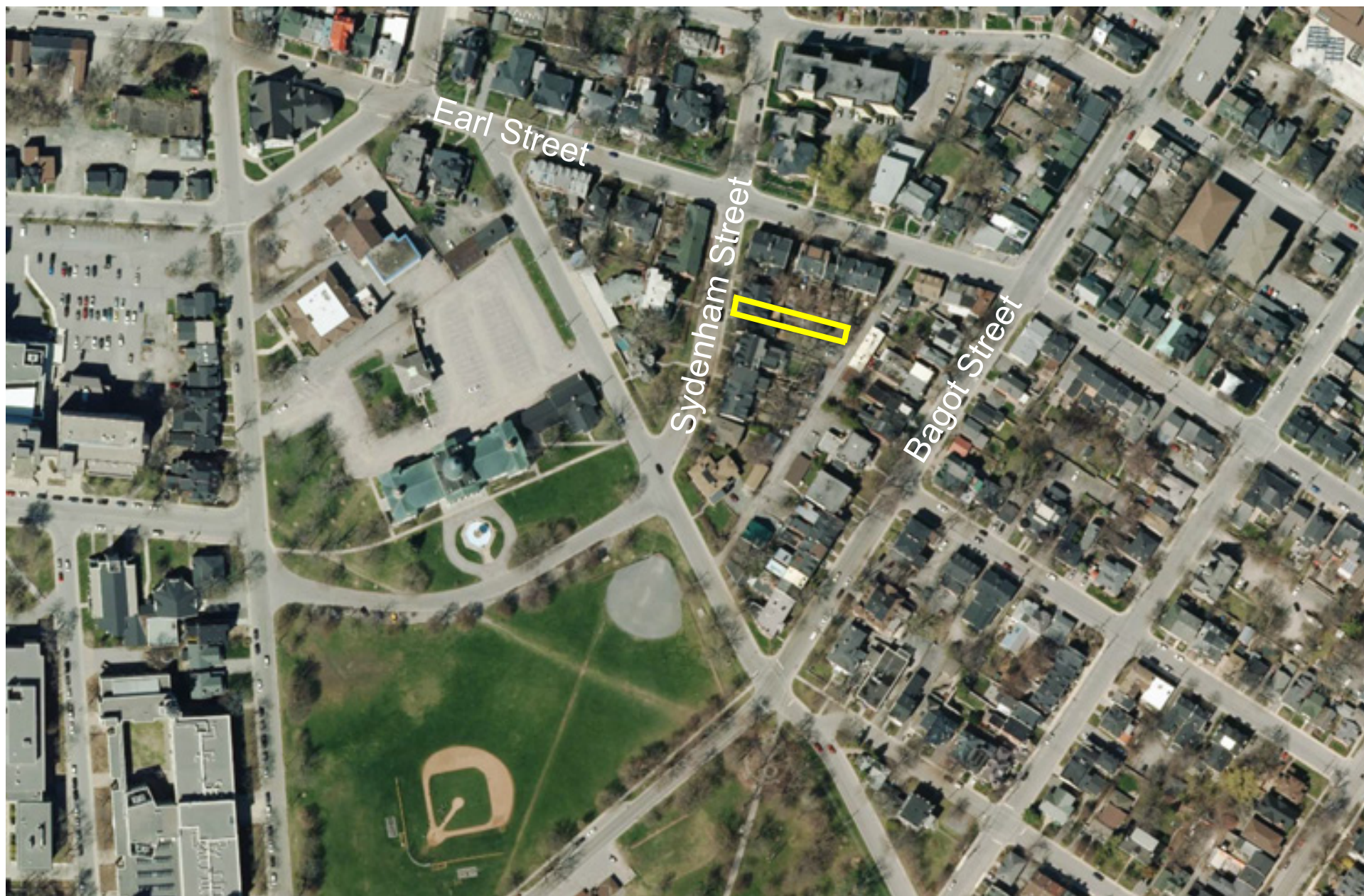
Exhibit A Context Map and Property Photographs

Exhibit B Property Inventory Evaluation

Exhibit C Summary of Technical Review

Exhibit D Summary of Final Comments at the November 15, 2017 Heritage Kingston Meeting

23 Sydenham Street









23 SYDENHAM STREET

Built: 1866

Rating: S

The 23 Sydenham Street building was erected in 1866 by builder and contractor John McMahon. McMahon owned a number of properties in the Sydenham Heritage during the mid-to-late 19th-century. He either erected buildings on these properties himself, or contracted the work for their construction. Later the 23 Sydenham Street building was owned by Lawrence C. Lockett, owner of Lockett's Boots and Shoes.* In the 1960s the house was purchased by James and Lily Inglis. James Inglis was a professor of psychology at Queen's University. After his death, Lily continued to live in the



J.McK.

Lily was a renowned heritage advocate and architect. She is known for numerous heritage restoration and renovation projects, either on her own or in conjunction with architects Wilfred Sorensen or Bruce Downey. Some of these projects include the Chez Piggy restaurant and the adjacent court yard in downtown Kingston; renovations to Newcourt House on the St. Lawrence College campus, the Hochelaga Inn directly across Sydenham Street, and the restoration of the Newlands Pavilion in Macdonald Park. Inglis and Sorenson also designed the central branch of the Kingston Frontenac Public Library on Johnson Street, incorporating the old residence of Bishop Macdonell as one of its main elements. In 2010 the laneway behind this stretch of houses, joining Earl and West Street between Bagot and Sydenham, was named Lily Lane in her honour.

The 23 Sydenham Street building is a 2½-storey wood building with a side-gable roof and a prominent front gable. The front gable covers two rectangular second-storey windows in 12-pieces. These are divided by a wide pilaster with recessed square and rectangular panels. Above the pilaster is a pediment top featuring a sunburst design. The gable face, above the windows, features clapboard and fish-scale imbrications. A matching window is located on the outer northeast bay of the upper storey.

* Andrew Hill, unpublished report for Lily Inglis on 23 Sydenham Street; property records for Lot 62 on Sydenham Street, Plan B27; Kingston directories; Dana Johnson and C. J. Taylor, *Reports on Selected Buildings in Kingston*, Vol. 1. (Parks Canada, 1976).

The front gable's pilaster is centred above a rectangular bay window on the first storey. This bay has a shallow, forward-sloping roof, and a curved entablature with thick dividing bars. It contains two full-height rectangular openings, each with a 1/1 window and 3 square upper lights. The bay, and the remainder of the first-storey façade, is clad with fish-scale imbrications. Northeast of the bay window is a porch with a projecting pediment hood. Its shingled hip roof merges with the roof of the bay window. The porch roof and pediment are supported by plain square pillars, which taper slightly as they rise. The pillars rest on brick bases with stone caps. The pediment contains a solid, curved bargeboard surround fronting a deeply recessed tympanum.

This is the only wood building along this stretch of Sydenham Street. Its design features and detailed woodwork blend with the features of its adjacent buildings. This structure compliments the historic character of the area, and is an important part of the Sydenham Streetscape between West and Earl Streets.

Heritage Kingston

Summary of Input from the Technical Review Process

Heritage Kingston Members	Comments Enclosed	No Comments Provided	No Response Received
Chair, Councillor Peter Stroud	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councillor Liz Schell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Paul Carl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Fiori	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mac Gervan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Peter Goheen	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sherman Hill	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Catherine Hyett	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Megan Kerrigan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jamie McKenzie-Naish	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Donald Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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Website: www.cityofkingston.ca

TTY: Dial 613-546-4889

Date:

Form: Heritage Kingston Reviewer Form

Reviewer Name:

Application Type: Demolish/Alter

File Number: P18-087-2017

Property Address: 23 SYDENHAM ST

Description of Proposal:

This application relates to the property at 23 Sydenham Street (Lily Inglis' House), designated under Part V of the OHA as part of the Old Sydenham Heritage Conservation District. The applicant has submitted a proposal to demolish a shed at the rear of the property, along Lily's Lane. The shed is not in good repair and has very little heritage value. The applicant wishes to demolish the shed in order to satisfy conditions of a Property Standards order from the City. There are no immediate plans to rebuild in place of the shed. The applicant also is requesting permission to replace the existing roofing throughout with new asphalt shingles.

Comments for Consideration on the Application:

{Please enter your comments here}

No concerns about removal of the shed.

The proposed replacement roofing is acceptable, although replacement metal roofing would be preferred for both heritage and longevity reasons.

Recommended Conditions for the Application:

{Please enter your recommended conditions here}

1. Email received from P. Carl, Member, Heritage Kingston, October 4, 2017

As there is a properties standards order and this shed is not of Heritage value. I am fine with this.

Paul Carl
Miigwech Nyawen

Summary of Final Comments at November 15, 2017 Heritage Kingston Meeting

[To be added following the meeting.]