



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-020

To: Chair and Members of the Kingston Heritage Properties Committee

From: Jennifer Campbell, Commissioner, Community Services

Resource Staff: Kevin Gibbs, Director, Heritage Services

Date of Meeting: April 17, 2024

Subject: Application for Ontario Heritage Act Approval

Address: 158 Earl Street (P18-634)

File Number: P18-014-2024

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

The subject property at 158 Earl Street is located on the south side of Earl Street, just east of West Street. The property is designated under both Parts IV and V of the *Ontario Heritage Act*, as part of the Old Sydenham Heritage Conservation District.

An application for alteration under Section 42 of the *Ontario Heritage Act* (P18-014-2024) has been submitted to request approval to install a rear shed dormer and replace a series of windows on the front and rear elevations. The front dormers are also proposed to be clad in cedar shingles and a new "coach light" is proposed adjacent to the main front door. Detailed plans and a cover letter, prepared by Mac Gervan & Assoc., have been submitted in support of this application.

This application was deemed complete on March 13, 2024. 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 June 11, 2024.

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Upon review of all the submitted materials, as well as applicable policies and legislation, staff recommend approval of the proposed scope of work, subject to the conditions outlined herein.

Recommendation:

That the Heritage Properties Committee supports Council's approval of the following:

That the alterations at 158 Earl Street, be approved in accordance with the details described in the application (File Number P18-014-2024), which was deemed complete on March 13, 2024, with said application to include the following:

1. The construction of a new shed dormer to the rear roof pitch;
2. The replacement/repair of all windows, using metal-clad wooden windows in a period appropriate style and pattern, where necessary;
3. The recladding of the shed dormers on the front roof pitch with wooden shingles; and
4. The installation of new exterior light adjacent to the main front door; and

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

5. A Building Permit(s) shall be obtained, as necessary;
6. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the heritage permit sought by this application;
7. Details, including colour(s) of the new windows, wall cladding, roofing, rain gear and lighting shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure they complement the heritage character and attributes of the district;
8. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
9. The owners are encouraged to retain and repair, or salvage and donate, any heritage-contributing wooden window noted in the application;
10. The owners are encouraged to retain and incorporate, or salvage and donate, the existing stained-glass transom window in the design of the new front window;
11. Any works that interface with the masonry of the building shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
12. All *Planning Act* applications, including minor variance, shall be completed, as necessary; and
13. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

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

The subject property is the easternmost unit in a three-unit, two-and-a-half storey, brick rowhouse known as the Mozart Terrace. It is located on the south side of Earl Street, just east of West Street (Exhibit A – Context Map). The property is designated under both Parts IV and V of the *Ontario Heritage Act* (Exhibit B – Property Inventory Evaluation).

An application under Section 42 of the *Ontario Heritage Act* (P18-014-2024) has been submitted to request approval to a series of alterations, including:

- The installation of a rear shed dormer with three sash windows (metal-clad wooden units). The dormer will face south and be clad in a pre-finished wood siding in a green tone. Its flat roof will be clad in a dark bituminous membrane;
- A series of window replacements on the front and rear elevations are also proposed. This includes eight (8) windows on the rear elevation and one on the front. The new units will be a metal-clad wooden sash windows, white coloured, in a three-over-three glazing pattern from Marvin;
- The existing second and third floor windows on the front elevation are proposed to be retained and repaired as needed;
- The front dormers are to be reclad in cedar shingles; and
- A new "coach light" is proposed adjacent to the main front door.

Detailed plans and a cover letter, prepared by Mac Gervan & Assoc., have been submitted in support of this application (Exhibit C – Concept Plans).

The submission materials in their entirety 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. Submission materials may also be found by searching the file number.

This application was deemed complete on March 13, 2024. 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 June 11, 2024.

Reasons for Designation/Cultural Heritage Value

The property was designated under Part IV of the *Ontario Heritage Act* in 1993 through By-Law Number 93-42. The property is also included in the Old Sydenham Heritage Conservation District created pursuant to Part V of the *Ontario Heritage Act* in 2015. The Property Inventory Evaluation rates the property as Significant to the District. The Inventory notes the following:

This brick row of three dwellings, built for William Burrowes in 1867 was called Mozart Terrace ... The three dwellings in this brick terrace each has a window in the first bay and an entrance in the second. ... The first floor windows have segmental arches and transoms; on the

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second floor they are flat-arched. Each dwelling has two gable-roofed dormers on the front slope of the roof.”

The Property Inventory Evaluation and designation by-law have been included as Exhibit B.

Cultural Heritage Analysis

The Mozart Terrace is a contributing and important property of the streetscape along this portion of Earl Street and includes a prominent corner feature at West Street. Its cultural heritage value is recognized as part of the Old Sydenham Heritage Conservation District (HCD) and under Part IV of the *Ontario Heritage Act*.

Staff visited the subject property on March 11, 2024. This application includes a proposal to alter the existing dwelling in order to increase the living space for the new owners. The most significant alteration is the proposal of a shed dormer on the rear pitch of the roof. The assessment of this application is summarized below through references to the relevant sections of the Old Sydenham Heritage Area HCD Plan (District Plan).

Applicable Local Policy/Guidelines

Section 2.2 District Plan provides a Statement of Cultural Heritage Value or Interest for the entire district. This includes a value statement as well as a list of heritage attributes, which are those physical components of the District that express its cultural heritage value, these include: “Varied ages, styles and types of buildings...; A compact scale comprised of street width, building height (approximately 2-3 storeys) and setbacks.” Additionally, Section 2.3 of the Plan provides a description of the sub-areas and their heritage attributes. This proposal is located in the ‘Beyond Bagot’ sub-area and its attributes are described in Section 2.3.3, which include: “A wide range of building types, materials and ages;” and “prominent buildings on street corners.” The subject property contributes to these attributes, making it a culturally important part of the District.

Section 2.5 (Designation Goals and Objectives) of the District Plan speaks to the goals and objectives for the District as a whole, as well as Heritage Buildings, Landscapes and Streetscapes, and Land Use. This application supports the goals as presented in the District Plan, specifically “Supporting and encouraging the conservation and continuing use of the district’s heritage attributes, rather than demolition and replacement” (2.5.1); “Conserving heritage buildings or structures by using the accepted principles and standards for heritage conservation, as outlined in this Plan; and Encouraging retention and restoration of original features of heritage buildings, base on archival and pictorial evidence...” (2.5.2); and “Preserving the existing pattern of blocks, streets and lanes” (2.5.3); and “Encouraging alterations and new infill that is compatible with the arrangement, scale, architectural style and materials that constitute the district’s heritage character.” (2.5.4).

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Summary of Project Proposal and Impact Analysis

Section 4.0 of the District Plan establishes a policy framework related to Building Conservation, including direction on Roofs (4.3.1), Exterior Walls (4.3.2), and Windows and Doors (4.3.5). While Section 5.0 of the HCD Plan provides policies and guidelines related to Building Alterations and Additions.

Window Works

The owners intend to repair the second and third floor windows on the main (northern) elevation and replace those on the rear (southern) elevation. The existing windows are a mix of ages and styles, and while it is unclear whether any are original to the building, some are noted as being period appropriate wooden units. Section 4.3.5 of the District Plan directs that all window works be undertaken in accordance with the City's Policy on Window Renovations in Heritage Buildings. Section 5.3.2 encourages one to "make efforts to recondition, repair and/or rebuild existing heritage-contributing windows before replacing them."

The windows on the rear elevation were assessed by both heritage architect Mac Gervan and heritage consultant Alexandra Rowse-Thompson. It was noted in the submission (Exhibit C) that the rear elevations include a variety of both period windows and modern replacement units from several eras. While most of the wooden windows are noted as being "in repairable condition," Ms. Rowse-Thompson concludes in her opinion letter that "given the variety of styles and eras and their location on the rear in a heritage conservation district, I think it is a reasonable approach to replace them with new aluminum clad period appropriate windows." It is important to note that none of the windows on the rear elevation are noted as significant to the heritage value of the property or district, and while some of the windows on the rear elevations are older wooden units, only window number 8 on the rear wing (a vinyl replacement unit) is visible from West Street. The proposal to unify the style and design of the windows is a supportable approach; however, a condition of approval has been included to encourage the owners to repair, wherever possible, or salvage and donate any noted heritage-contributing window, in order to avoid their unnecessary replacement and the disposal of a viable wooden window.

The current main floor window on the front elevation (noted as Window 1 on Exhibit C) includes a stained-glass transom. It is suggested that the stained-glass window is likely a later addition, but possibly as early as the turn of the 20th century. The main floor windows on this row-house are a mix of styles; however, all the main floor windows at 162 Earl Street (the corner unit) include leaded-glass transoms. The interior photographs provided in the submission clearly indicate that this window has been altered; however, the stained-glass transom is not out of place on this row. The District Plan (4.3.5) encourages the retention and repair of original stained-glass windows. While it is unclear if this is an original window, its presence helps unify the row. Staff encourage the retention of the stained-glass transom window in the design of the proposed window alteration or, if not desirable, the salvaging and donation of the window.

Section 5.3.2 provides further guidance on window alterations and directs that replacement windows can be metal-clad wood and should be designed to match the style and size of the

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original windows with muntins applied to the exterior of the glass. The proposed metal-clad wooden replacement windows from Marvin will be designed in a period appropriate 3 over 3 pattern, with muntins on the exterior of the glass, and will fit the existing openings. Details related to their profiles and colours will be reviewed by staff as a condition of approval.

Dormer

As noted, Section 5.0 includes direction on alterations and additions in general, and more specifically related to managing changes to features such as roofs, windows, cladding and the design of additions. The HCD Plan directs one to consider five questions when designing and evaluating a proposed alteration:

1. In what way will the proposed alterations affect the overall character of the streetscape of the District?
2. Could the alterations find ways to enhance the heritage character of the District?
3. What will the impacts to the property's heritage attributes be?
4. Can these impacts be minimized through design?
5. If this alteration were commonly applied throughout the District would the cumulative impact be acceptable?

The most extensive change to this property requiring consideration of impacts to the HCD is the proposed alteration to the roof with the addition of a new shed dormer. Section 5.3.1 provides direction regarding roof alterations on heritage buildings and notes that "roof profiles visible from the street should remain unaltered."

The use of the term "should" in this statement is important when considering the impact of this change against the five questions noted above. Will a change to this roof's profile have an unacceptable negative impact to the "overall character of the streetscape" of the HCD or to the heritage attributes of this property? To best answer this question, and as directed by Guideline 4.3.3 of Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada (the Standards and Guidelines), one must first understand what contributions this roof and property adds to the character of the historic place (the HCD).

The Old Sydenham HCD includes a wide variety of roof types. Some roof profiles are of very high cultural importance, and not just to the heritage character of the building, but to the district as well, particularly on some of the more prominent landmark buildings (i.e. the Hendry House, and the Belvedere and Hochelaga Inns). In those cases, a change to the roof profiles visible from the street would be discouraged. As a general conservation principle, changing an original roof profile is not desirable and should only be considered in extenuating circumstances.

Guideline 4.3.3 of the Standards and Guidelines recommends that when modifying a roof to accommodate a new or expanded use it should be done in a manner that "respects the

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building's heritage value" and thus its contribution to the historic place. The subject building is not a prominent landmark designed by a renowned architect, or a meeting place for some culturally significant event or the home of a prominent citizen. It is a simple, working-class vernacular row-house from the 1860s. This type of building, in a single, semi-detached or row-house form is common in the Old Sydenham HCD; examples can be found at 75 Gore Street, 152-166 Bagot Street and 198 King Street East, among others. Common to this style is a side-gable roof, with or without dormers. The low-pitch roof limits the interior ceiling height, thus reducing the usable space on the third floor of building; this, coupled with the small size of the property and the owners' desire to minimize the impacts to the heritage character of the building, limits their ability to adaptively reuse this attic space, thus requiring its alteration.

Standard 11 of the Standards and Guidelines directs that new construction should be "physically and visually compatible with, subordinate to and distinguishable from the historic place." This direction is echoed and expanded on through Section 5.2 of the HCD Plan. The HCD Plan states that additions should be located away from the street and be no taller (preferably lower) than, and to the rear of, the historic dwelling. While Section 4.3.1 of the HCD Plan discourages shed dormers, the general location and massing of the new dormer complies with Policy 5.2.

Standard 12 of the Standards and Guidelines, and Section 5.2.2 of the HCD Plan, speaks to designing new additions to ensure that the "essential form and integrity" of the heritage resource is not impaired should the new addition be removed in the future. While this is a substantial addition and change to the property, the features of the heritage building noted in the Property Inventory and designation by-law (i.e. brick construction and fenestration pattern on the front elevation) are being preserved and restored. Should the dormer be removed or further altered in the future, the integrity of the heritage resource can be understood and conserved.

Sections 5.3 and 5.4 of the HCD Plan provide more specific guidance on altering and adding additions to heritage buildings. The plan states that cladding on new additions should be distinct from the cladding on the heritage building and the use of reveals, transitions or offsets are encouraged to enable one to clearly identify the new addition against the original building form. The applicants have designed the new dormer to include an inset (reveal) along the eaves edge and side overhang, to retain evidence of the original roof profile.

Acceptable cladding on new additions includes wood or composite wood siding, with a preference for horizontal design and wood shingles (5.3.3). The submission proposes the use of horizontal wooden cladding on the new dormer and wooden shingles on the existing front gable dormers (Exhibit C). A condition of approval requiring the provision of details to staff on the new cladding (including colour) has been included to ensure the intent of this policy is met.

Results of Impact Analysis

While the scope of the application will result in changes to the rear roof profile of the building, consideration of the contribution of this property to the heritage value of the Old Sydenham Heritage Conservation District and how these changes will impact that contribution, the above analysis concludes that the historic profile and contribution to the streetscape will be conserved

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and enhanced through various restoration efforts (i.e. window repairs and recladding of gable dormers) and not negatively impacted by the changes to rear of the roof with the new dormer, which is designed to be sympathetic and compatible with the HCD and the building. Once completed, this project will give this building a renewed purpose, while investing into its future as a contributing part of the Mozart Terrace and the Old Sydenham Heritage Conservation District.

Heritage Planning staff are of the opinion that the proposal conforms to the intent, goals and policies of the HCD Plan and will uphold the heritage conservation objectives set out within the City of Kingston's Official Plan, the Ontario Heritage Tool Kit, and Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada.

Previous Approvals

P18-033-2012 Repair front windows and add new storm windows (4 total)

Comments from Department and Agencies

The following internal departments have commented on this application and provided the following comments:

Building: A building permit is required for the proposed construction. Please note if there was a bedroom existing on the third story; an egress window is required. As per 9.9.9.1.(2) the travel limit from a floor level in the dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level is served by an openable window or door, providing an unobstructed opening of not less than 1000mm in height and 550mm in width, and located so that the sill is not more than 1000mm above the floor, and 7m above adjacent ground level. Or provided with a balcony. Please note all construction, including but not limited to any roof overhangs, is not permitted to cross property lines. Beam pockets in a party wall are to be designed so that the thickness of party-wall remaining is enough to provide the appropriate fire separations. Beam pockets are to be designed so that the beam does not cross the property line.

Engineering: Development Engineering has no objections to this application. If temporary encroachment for construction purposes is required within the road allowance then a Permit from the City is required in accordance with City By-Law 2004-107.

Planning: The proposed development at 158 Earl Street is not compliant with the zoning, and as such a minor variance will be required for zoning relief.

Public Works: No objections from PW but if construction requires setting up on public property a temporary encroachment permit may be required.

Consultation with Heritage Properties Committee

The Heritage Properties Committee was consulted on this application through the [DASH](#) system. Two members of the committee provided written comments on this application, noting

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concerns regarding the dormer and the loss of the stained-glass window. These matters have been addressed above in staff's analysis. The Committee's comments have been compiled and attached as Exhibit D and provided to the applicant.

Conclusion

Staff recommends approval of the application File Number (P18-014-2024), subject to the conditions outlined herein.

Existing Policy/By-Law:

Standards and Guidelines for the Conservation of Historic Places in Canada (Parks Canada)

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

City of Kingston Official Plan

Old Sydenham Heritage Area Heritage Conservation District Plan

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

By-Law Number 93-42 Designation By-Law for 158-162 Earl Street

City's Policy on Masonry Restoration in Heritage Buildings

City's Policy on Window Renovations in Heritage Buildings

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.

Contacts:

Kevin Gibbs, Director, Heritage Services, 613-546-4291 extension 1354

Joel Konrade, Manager, Heritage Planning, 613-546-4291 extension 3256

Ryan Leary, Senior Planner, Heritage, 613-546-4291 extension 3233

Exhibits Attached:

Exhibit A Context Map

Exhibit B Property Inventory Evaluation and Designation By-Law

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Exhibit C Conceptual Plans

Exhibit D Correspondence Received from Committee

Exhibit E Final Committee Comments from April 17, 2024



Kingston Heritage Properties Committee Neighbourhood Context

Address: 158 Earl Street
File Number: P18-014-2024
Prepared On: Mar-11-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



158, 160, 162 EARL STREET

Built: 1867

Rating: S (Part IV)



“This brick row of three dwellings, built for William Burrowes in 1867 was called Mozart Terrace and with its corner tower completes a block of notable buildings.

“The three dwellings in this brick terrace each have a window in the first bay and an entrance in the second. A hammer-dressed stone foundation is topped by an ashlar base course and the two-storey terrace has a gable roof hipped at the west end. The first floor windows have segmental arches and transoms; on the second floor they are flat-arched. Each dwelling has two gable-roofed dormers on the front slope of the roof.

“Originally, all doors had label mouldings. That of No. 158 has been removed and a shed-roofed porch added.

“At the west end of the terrace is a circular corner tower with the windows in each storey joined by a narrow stone sill course and a wider stone lintel course. Above the lintel course in both storeys is a wide decorative terra cotta band which extends in the second storey to a moulded cornice supporting the high conical roof.

“The west side has a window in each storey and a wide decorative cornice. *

* *Buildings of Architectural and Historical Significance*, Vol. 5, pp. 46-47 (1980).

BY-LAW NO. 93-42

**A BY-LAW TO DESIGNATE 158-160-162 EARL STREET OF
ARCHITECTURAL VALUE OR INTEREST PURSUANT TO THE
PROVISIONS OF THE ONTARIO HERITAGE ACT**

PASSED: January 12, 1993

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

WHEREAS Notice of Intention to Designate 158-160-162 Earl Street to be of architectural value or interest, pursuant to Section 29 of the Ontario Heritage Act, was sent by registered mail to the owners of the property and to the Ontario Heritage Foundation on the 18th day of November, 1992;

AND WHEREAS said notice was published in the Whig Standard on Saturday, November 7, 1992, Saturday, November 14, 1992, and Saturday, November 21, 1992;

AND WHEREAS the thirty day appeal period expired on December 7, 1992;

AND WHEREAS no objection to such designation has been received;

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

1. 158-160-162 Earl Street, in the City of Kingston, is hereby designated as being of architectural value or interest pursuant to Section 29 of the Ontario Heritage Act for the following reasons:

.../2

"The three 1867 dwellings in this brick terrace each have a segmental arched window in the first bay and a transomed entrance with label moulding in the second. Second storey windows are flat arched with gable roofed dormers above them. The west end, circular tower has windows joined by a narrow stone sill and a wider stone lintel. Above the lintel course in both storeys is a wide decorative terra cotta band which extends in the second storey to a moulded cornice supporting a high conical roof."

2. The subject property is more particularly described in Schedule "A" attached hereto.

3. The City Solicitor is hereby authorized to cause a copy of this By-Law and the reasons for designation to be registered against the lands described in Schedule "A" attached hereto in the Land Registry Office at Kingston, Ontario.

4. The City Clerk is hereby authorized to cause a copy of this By-Law to be served on the owners of the lands described in Schedule "A" hereto and on The Ontario Heritage Foundation, and to cause notice of the passing of this By-Law to be published in the Whig Standard once for each of three consecutive weeks.

5. This By-Law shall come into force and take effect on its passing.

GIVEN THREE READINGS AND FINALLY PASSED January 12, 1993


CITY CLERK


MAYOR

SCHEDULE 'A' TO BY-LAW NO. 93-42

PROPERTY ADDRESS: 158 Earl Street

OWNER: Lewis David Johnson & Sheila Aldina Johnson

LEGAL DESCRIPTION:

ALL AND SINGULAR, that certain parcel or tract of land and premises, situate, lying and being in the City of Kingston in the County of Frontenac, and Province of Ontario, containing 1,493 square feet, more or less and being composed of Lot Number One according to a plan of subdivision registered on the 21st day of March, 1876, as No. C-7.

TOGETHER with a right-of-way over a lane in the rear of said Lot Number One from West Street as shown on said plan, such lane being 9 feet in width.

(As previously described in Instrument No. 375864).

March 3/24

Ryan Leary
Senior Heritage Planner
City of Kingston

Re: Heritage permit 158 Earl Street

Dear Ryan,

This is a letter of support for an application for renovations to 158 Earl Street. We also have a committee of adjustment application in for this property that we would like to run concurrently with the Heritage permit.

I little bit about the family that have recently purchased this home... They met in Kingston in 2015 and fell in love with the charm and character of heritage homes. They had to move away for work in 2017, but were delighted when they received permanent job opportunities back in Kingston this past May. They had been looking for a home in Sydenham ward and excited when this house came available. They also have close friends on the street. The only catch is that they have three children, aged 4, 2 and 1, so they need a bit more room in the house.

They are fine with the footprint and love the house, but to be a place to stay in and raise their children, they need more room on the top floor for their master bedroom. This will never be a student rental.

This home is not designated, but is part of the Sydenham ward district designation.

Here is what they are asking for :

- The main element is making more livable space on the third floor by building a shed dormer on the back side of the house
 - we do not want to change the narrow dormers on the front as this would change the character of this row house...although there will be some work to restore and properly weather seal the existing wood windows on the Earl Street Facade
 - There are three bedrooms on the second floor which will be for their three children...but in order to make a reasonable master suite on the third floor we are proposing a shed dormer.
 - We did try to make a master suite on the second floor, but it did not work...with the dormers being so narrow...app 34" wide. The majority of the 3rd floor is unusable. They needed to have room for a bedroom and bathroom...and if you place a bed you can't walk on either side without ducting your head.
 - Please note that we are not proposing to raise the existing peak of the roof, even though the head room is not much more then 7'

Mac GERVAN
& Associates Ltd.

- The accompanying plans show what we are proposing here and you can see by the cross sections that the top floor as it is, is very limiting..it is barely a legal space on the third floor with the limited head room
- The shed dormer will still leave a relief of soffit and fascia all around
 - on the back side there will still be app. 2' of overhang at the bottom of the shed dormer, keeping the soffit line
 - on the west side towards the other row houses there will be 2' 8 1/2" to the edge of their property..not sure how close the shed dormer is on that side, but it appears to be very close to the edge of their property line
 - on the east side the side of the shed will be in 1'9" so there will be a substantial overhang left on this side as well
- We would like to use prefinished wood siding on the back dormer
 - the owners are thinking of beige-green colours for the siding...they are suggesting three Maibec colours....Green Tartan 306, Foliage Green 006, or pine crush 369....but they are open to suggestions from the committee....



Green Tartan 306

▪



Maibec Foliage Green 006

▪

Mac GERVAN
& Associates Ltd.



Pine Crush 369

- we are proposing to use Marvin double hung windows in the dormer with three over three vertical simulated lights as the windows are on the front and most of the windows on the back
- You can see from the photos of the back of the row houses that the windows are quite a mix, with no real consistency. We are proposing to make all the windows in the house to match with the front windows
- The middle row house has a shed dormer already..this former goes very close to the edge of their property line...we plan to be inside our property line to give a bit of relief
- There is no back lane way or driveway so the back of the house, particularly this end, can only be seen at an angle from the side street, West Street, and with the back extension of this home it makes it very difficult to see at all...the owners do not even have a parking spot with their home...there is a small stone walled in postage stamp back yard to this home, with no access from the back
 - the combination of the 'flat' roof and the house at 165 west street the dormer will be difficult to see, particularly when there are leaves on the trees
- next to this end of the row houses on Earl street is a very tall house that will block almost all the view of the proposed dormer
- So that is the dormer part of this application
- We would like to change the asphalt shingles on the sides of the front dormers to cedar shingles, which we feel where probably there when the home was first constructed...we are suggesting a prefinished cedar shingle in a grey tone, the look of what a cedar shingle that has naturally patina.

Mac **GERVAN**
& Associates Ltd.

- We are proposing to add a light to the front door, it will be the proposed light or a similar style to the left of the door



- - it actually is a building code law that there should be a light outside of ever entrance door
 - we propose to install it on the left side as the right side would actually be on the neighbours property

Mac **GERVAN**
& Associates Ltd.

- We would like to change the front window(1) on the main floor as it has been replaced and is now a fixed window with a modern stained glass above and does not allowing any ventilation, where there was a double hung window there originally...there are signs of cord balances which you can see from the photos..it shows that the original window was a full double hung, as we are proposing
 - The owners contacted Alex Rowse-Thompson(Heritage Studio) to have a look at the window and this was her response.... “it is a ‘period window’ but it’s definitely not original as the size of the glass is large. It no longer opens and has a terrible storm screwed to it!”
 - the three row houses all have different windows...there is no consistency
 - We are proposing a Marvin Double Hung Ultimate(wood window with aluminum exterior cladding again with three over three vertical simulated lites...all windows will be white..this will match the style of the other 4 existing windows on the Earl Street Facade
 - we feel this would be the closest to what was there originally
- the existing wood windows on the front we will restore and weather strip.
- Other proposed window changes
- Again comments from Axel Rowse-Thompson
 - “Rear elevation – There is a mix of period windows on the rear, including 1-over 1 sash windows on the ground floor, and one 6-over6 sash window and one 6-over-1 sash window in the bathroom and rear bedroom on the second floor. Again, they are all considered ‘period’ windows under the Window Policy and are in reparable condition(except the vinly ones). However, given the variety of styles and eras(including the one that must have had its lower sash replaced at some point in the bathroom), and their location on the rear in a heritage conservation district, I think it is a reasonable approach to replace them with new aluminium clad period appropriate windows(is, the Ultimate series for Marvin), given the age of the house, a 2-over 2(like the dormer window) would be appropriate.”
 - my comment about this is that the dormer windows are very narrow, so in the larger windows we should to 3 over three, which is what we are proposing

- we would like to install a matching window(2), in what will be the new kitchen to match the front window...this window has been replaced at some point as it does not have any mullions and has a very ugly aluminum storm on the outside... this way it will match the new front room as we are proposing to open up the central wall, so the room will feel like one
- please note that almost all the back windows can be seen only from their postage stamp back yard, as the addition angles to the east
- narrow window (3) which will become the dining room we would like to install a double hung, but with 2 vertical lites as it is narrow in either a Marvin Ultimate or their fibreglass Elevate window
- window 4 on main floor will be a double hung window with three vertical lites to match the bulk of the windows
- on second floor
 - windows 5,6,and 8 will be double hung with three vertical lites
 - all three of these windows except possibly #6 have been changed over time
 - we would like to have some consistency for all the back window
 - window 7 will be double hung but with only 2 vertical lites as it is a narrow window
 - also note that windows 7 and 8 have been replaced with vinyl double hungs
 - window 9 is an old style wood window with aluminum storm which we plan to change with a horizontal slider as it sits down in a window well
- you can see photos of all the existing windows on the submitted plans
- we also plan to repair and restore existing soffit and fascia, but make no real changes

That is all that we are requesting in this application. I hope you find this acceptable and we look forward to meeting with you.

Thankyou

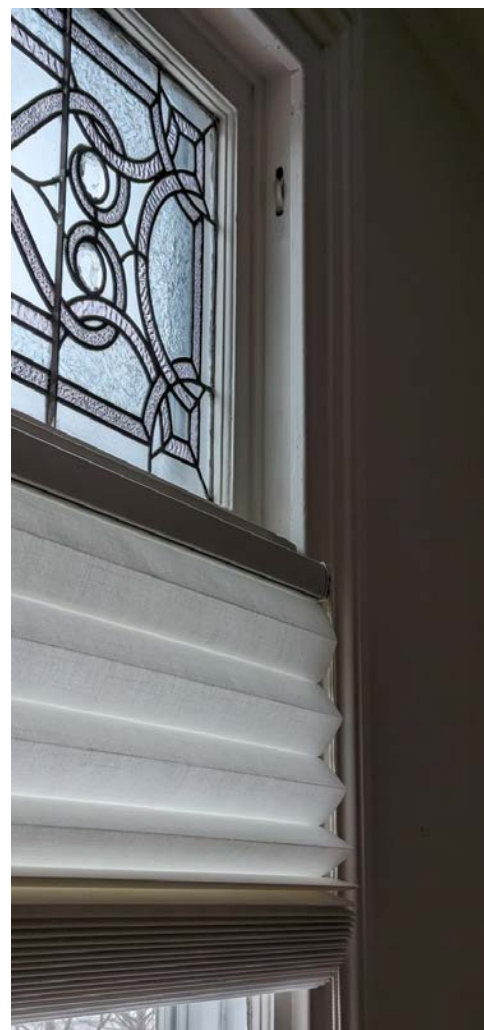


Mac Gervan

Mac **GERVAN**
& Associates Ltd.



WINDOW 1 MAIN FL NORTH



WINDOW 1 SASH



WINDOW 2 MAIN FL SOUTH



WINDOW 3 MAIN FL EAST



WINDOW 4 MAIN FL EAST



WINDOW 5 2nd STOREY SOUTH



WINDOW 6 2nd STOREY SOUTH BEDROOM



WINDOW 7 2nd ST EAST

	General Notes	Perspectives
A-1	General Notes	Perspectives
A-2	Site Sketch	
A-3	Sections	
A-4	Foundation plan	
A-5	Plan Floor 1	
A-6	Plan Floor 2	
A-7	Plan Floor 3	
A-8	Elevations	
A-9	Elevations	
A-10	Elevations	
A-11	PHOTOS	
A-12	PHOTOS	

PLANS FOR HERITAGE APPLICATION

Revisions:

Mac GERVAN & ASSOCIATES Ltd.

Residential and Commercial Design Services

Consulting and Project Management

phone 546-5097
 fax 546-6249
 e-mail mac@gervan.ca
 Company BCIN # 33630
 Mac Gervan BCIN# 21054

Project:
**THOMAS SKINNER
 HALEY MOTRUK
 158 EARL ST
 KINGSTON. ON**

Drawing:

PHOTOS

Date: FEB 23 2024

Scale:

Drawn By: MG/GF

File: 158 EARL ST
 printed 2024-02-23
 Drawing #: **A-11**

	General Notes	Perspectives
A-1	General Notes	Perspectives
A-2	Site Sketch	
A-3	Sections	
A-4	Foundation plan	
A-5	Plan Floor 1	
A-6	Plan Floor 2	
A-7	Plan Floor 3	
A-8	Elevations	
A-9	Elevations	
A-10	Elevations	
A-11	PHOTOS	
A-12	PHOTOS	

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Drawing #:

A-12



WINDOW 8 2nd FL SOUTH



WINDOW 9 BASEMENT SOUTH



162

160

SOUTH VIEW of ADJACENT ROW HOUSE



158

160

162

NORTH VIEW of EARL STREET ROW HOUSE



SOUTH SHED DORMER at 160 EARL

REQUESTED VARIANCE

BY-LAW 2022-62 ZONE HCD3

13.4.2.

1. DORMERS

REQUIRED	VARIANCE REQUESTED
(a) 0.4m SETBACK	<u>0.4m</u>
(b) 1.0m from ROOF EDGE	WEST SIDE <u>0.17</u> EAST SIDE <u>0.47</u>
(c) 50% of LENGTH = 3.95 DORMER ROOF = 6.55 RELIEF OF 2.6M REQUESTED	<u>2.6m</u> (6.55 - 3.95)

PLANS FOR HERITAGE PERMIT



EXISTING SOUTH DORMERS



SOUTH VIEW



NEW SOUTH SHED DORMER

	General Notes	Perspectives
A-1	General Notes	Perspectives
A-2	Site Sketch	
A-3	Sections	
A-4	Foundation plan	
A-5	Plan Floor 1	
A-6	Plan Floor 2	
A-7	Plan Floor 3	
A-8	Elevations	
A-9	Elevations	
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**General Notes
Perspectives**

Date: FEB 23 2024

Scale:

Drawn By: MG/GF

File: 158 EARL ST
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Drawing #: **A-1**

A-1	General Notes	Perspectives
A-2	Site Sketch	
A-3	Sections	
A-4	Foundation plan	
A-5	Plan Floor 1	
A-6	Plan Floor 2	
A-7	Plan Floor 3	
A-8	Elevations	
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Elevations

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FEB 23 2024

Scale:

Drawn By:

MG/GF

File:

158 EARL ST
printed 2024-02-23

Drawing #:

A-8



North Elevation (Existing)



North Elevation

A-1	General Notes	Perspectives
A-2	Site Sketch	
A-3	Sections	
A-4	Foundation plan	
A-5	Plan Floor 1	
A-6	Plan Floor 2	
A-7	Plan Floor 3	
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PLANS FOR HERITAGE APPLICATION

Revisions:

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Elevations

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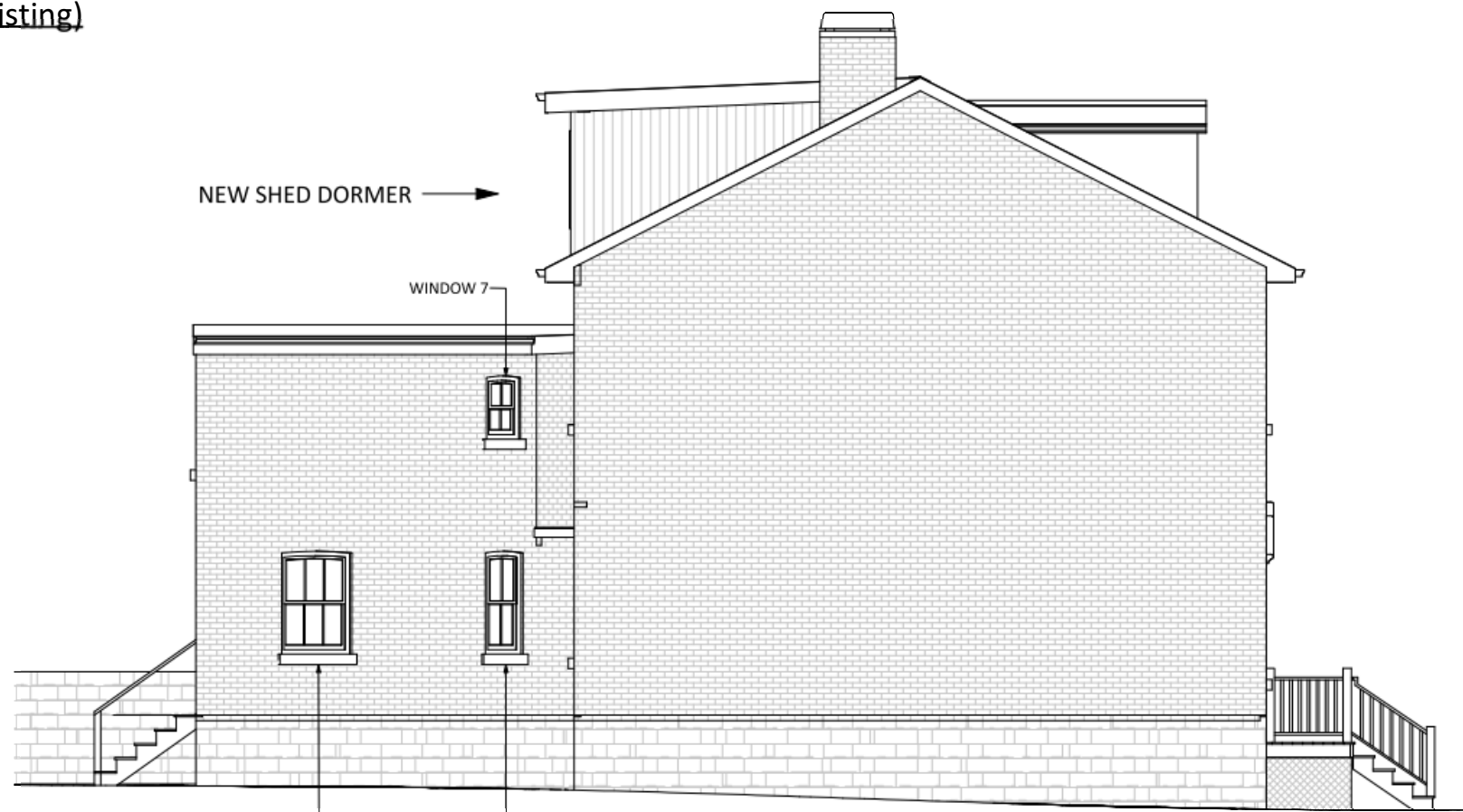
Scale:

Drawn By: MG/GF

File: 158 EARL ST
 printed 2024-02-23
 Drawing #: **A-9**



East Elevation (Existing)



East Elevation (Proposed)

	General Notes	Perspectives
A-1	General Notes	Perspectives
A-2	Site Sketch	
A-3	Sections	
A-4	Foundation plan	
A-5	Plan Floor 1	
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A-7	Plan Floor 3	
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A-9	Elevations	
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PLANS FOR HERITAGE APPLICATION

Revisions:

Mac GERVAN & ASSOCIATES Ltd.

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Drawing:
Elevations

Date: FEB 23 2024

Scale:

Drawn By: MG/GF

File:
158 EARL ST
printed 2024-02-23

Drawing #:
A-10



South Elevation (Existing)

← EXISTING DORMERS



WINDOW 9 → South Elevation (Proposed)

Kingston Heritage Properties Committee

Summary of Input from Technical Review Process

P18-014-2024

Committee Members	Comments Enclosed	No Comments Provided	No Response Received
Councillor Glenn			X
Councillor Oosterhof			X
Jennifer Demitor			X
Gunnar Heissler			X
Alexander Legnini			X
Jane McFarlane	X		
Peter Gower	X		
Ann Stevens			
Daniel Rose			X



City of Kingston
216 Ontario Street
Kingston, Ontario
Canada, K7L 2Z3

Website: www.cityofkingston.ca

where history and innovation thrive

TTY: Dial 613-546-4889

Date:	March 12, 2024
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Peter Gower
Application Type:	Heritage Permit
File Number:	P18-014-2024
Property Address:	158 EARL ST

Description of Proposal:

The subject property is the easterly unit in a three-unit rowhouse known as the Mozart Terrace. It is located on the south side of Earl Street, just east of West Street. The property is designated under both Parts IV and V of the *Ontario Heritage Act*. The applicant is seeking heritage approval to install a rear shed dormer with three windows. The dormer will face south and be clad in pre-finished wood siding. A series of window replacements on the front and rear elevations are also proposed in order to unify the design of the windows. The front dormers are to be clad in cedar shingles, and a new "coach light" is proposed adjacent to the main front door. Detailed plans and a cover letter, prepared by Mac Gervan & Assoc. have been submitted in support of this application.

Comments for Consideration on the Application:

While I can accept the changes to the front of the house, I am opposed to the shed dormer on the rear. It is visible and is not suitable for this style of building. The shed dormer on 160 is an unfortunate precedent.



where history and innovation thrive

City of Kingston
216 Ontario Street
Kingston, Ontario
Canada, K7L 2Z3

Website: www.cityofkingston.ca

TTY: Dial 613-546-4889

Date:	March 13, 2024
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Jane McFarlane
Application Type:	Heritage Permit
File Number:	P18-014-2024
Property Address:	158 EARL ST

Description of Proposal:

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Comments for Consideration on the Application:

Although shed dormers are discouraged in the Old Sydenham HCD Plan, the setbacks on the front and sides of this dormer, although less than required for zoning compliance, maintain a sense of the original roofline and are acceptable from a heritage point of view on the rear of the building.

Repairing and restoring the Period windows on second and third floor of the façade is commendable and supported. It is unfortunate that there are no older photos available to give direction for the main floor window which seems to have been altered at some point. Although the proposed three-over-three window could work another option would be to maintain the later stained-glass portion and install a simple one-over-one operable replica wooden sash window that would complete the façade with wooden windows. Although not discussed, if the façade basement window is Period, it would be best to repair and maintain.

On the rear of the building, the option of two-over-two windows or even one-over-one could be considered and simplify the look.

Summary of Final Comments at the April 17, 2024 Heritage Properties Committee Meeting

[To be added following the meeting.]