



City of Kingston
Kingston Heritage Properties Committee
Minutes

September 18, 2024
9:30 a.m.
Council Chamber

Members Present: Councillor Glenn, Chair
Councillor Oosterhof
Jennifer Demitor
Peter Gower
Gunnar Heissler
Alexander Legnini
Jane McFarlane

Regrets Daniel Rose
Ann Stevens

Staff Present: Kevin Gibbs, Director, Heritage Services
Allison Hannah, Committee Clerk
Jennifer Hay, Heritage Coordinator
Joel Konrad, Manager, Heritage Planning
Ryan Leary, Senior Heritage Planner
Alan McLeod, Senior Legal Counsel & Deputy City Solicitor
Iain Sullivan, Committee Clerk

Others Present: Members of the public were present.

1. Call to Order

The Chair called the meeting to order at 9:30 a.m.

2. Approval of the Agenda

Moved by: Councillor Oosterhof
Seconded by: Mr. Legnini

That the agenda be approved.

Carried

3. Confirmation of Minutes

Moved by: Mr. Legnini
Seconded by: Mr. Gower

That the minutes of Kingston Heritage Properties Committee Meeting Number 09-2024, held Wednesday, August 21, 2024, be approved.

Carried

4. Disclosure of Pecuniary Interest

There were none.

5. Delegations

There were none.

6. Briefings

There were none.

7. Business

1. Pre-Consultation

2. Policy Development and Implementation

3. Stream Two Permits - Approval through Delegated Authority

4. Stream Three Permits - Approval Through Council Authority

1. Application for Ontario Heritage Act Approval - 9 George Street

Mr. Konrad introduced the application.

The Committee did not provide comment.

The Chair provided an opportunity for members of the public to ask questions.

Don Taylor noted his support for the proposal and commended the applicants for their work. He noted that the proposal will see the removal of the existing, poor condition chimney and stated that it would be advisable to retain it.

In response to the public comments Mikaela Hughes, Agent for the Applicant, stated that she would talk with the owner about the possibility of rebuilding the original chimney. She noted that the building would have likely had a central chimney and not a side one and that the current one was added after a furnace was installed. She further noted that any new chimney added would be non-functional.

Moved by: Ms. Demitor
Seconded by: Councillor Oosterhof

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

That alterations to the property at 9 George Street, be approved in accordance with details as described in the application (P18-084-2024), which was deemed complete on August 7, 2024 with said alterations to include the installation/construction of a second floor addition above an existing one storey addition, a new porch that faces Wellington Street, a new carport over the existing driveway, a new approximately 0.3 metre raised foundation clad in limestone, new windows/surrounds/trim and doors for all openings, new standing seam profile roofing with skylights, new wood siding/trim for the entire building, new window openings on the vestibule and east elevation, two new decks that face the rear yard, and the removal of the existing chimney and two first floor windows on the western elevation; and

That the approval of the application is subject to the conditions outlined in Exhibit A to Report Number HP-24-038.

Carried

5. Notice of Intention to Designate under the Ontario Heritage Act

- 1. 294 Elliot Ave, 3751 Smith Rd, 3867 Smith Rd, 722-766 John Counter Blvd, 831 Montreal St, 1901 Jackson Mills Rd, 262 Wellington Street, 2973 Orser Rd, 4226 Florida Rd, 617-619 Union St, and 79-83 Princess St.**

Mr. Leary introduced the report.

The Committee did not provide initial comment.

The Chair provided an opportunity for members of the public to ask questions.

Cassandra and Adam Haws, 831 Montreal Street, stated that they did not want their building designated. They explained that they already take care of the building and the designation is against their will. They reiterated that they already maintain the building properly and will continue to do so. They asked that the Committee remove their property from consideration so they could maintain their autonomy.

Karen Eves, 2973 Orser Road, stated that the designation would cause her insurance to increase. She expressed concern that the increase in insurance would lead to bankruptcy. She further stated her belief that the designation would devalue her property. She asked the Committee to defer consideration of her property so that she could receive legal counsel. She noted that the building has been substantially altered.

In response to the public comments Mr. Leary stated that the property at 831 Montreal Street was flagged for historical evaluation in 2015 in the work leading up to the Third Crossing Project. He explained that the property at 2973 Orser Road met four of the provincial designation criteria and is not the first active farm that the City has designated. He confirmed that staff were confident in both properties heritage values. Mr. Konrad stated that insurance premiums should not be raised when a property is designated as per the Province.

In response to a question from Councillor Glenn Mr. McLeod noted that the request to defer to a future meeting for legal counsel is reasonable.

Councillor Oosterhof noted that he would be following up with both residents. He commented that this is the first time he had heard about insurance rates being raised in response to a heritage designation. He stated that he would not support a designation that would do damage to a property owner.

Mr. Legnini stated that he was interested in receiving information on how the insurance would be raised when the property had not yet been designated.

The Chair was passed to Ms. McFarlane.

Councillor Glenn stated that the request from the resident at 2973 Orser Road was reasonable and would provide the Committee with more information.

Mr. Legnini sought confirmation that a deferral would not impact timelines for designation. Mr. Sullivan confirmed it would not.

Mr. Gower sought clarification on the nature of the deferral. Councillor Glenn confirmed it was only for 2973 Orser Road.

The Chair was returned to Councillor Glenn.

Ms. Demitor thanked the owners of 831 Montreal Street for speaking before the Committee. She noted that the Committee often looks to see owners like themselves. She stated that the designation is not intended to be a hardship on the owner.

Councillor Oosterhof echoed Ms. Demitor's comments. He stated that he did not believe that a designation was a hardship and that it would help preserve the building.

Moved by: Councillor Oosterhof

Seconded by: Mr. Legnini

That Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Intention to Designate the property located at 294 Elliott Avenue, known as the Elliott Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 294 Elliott Avenue, known as the Elliott Farmhouse, attached as Exhibit B to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 3751 Smith Road, known as the Bell Farmstead, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 3751 Smith Road, known as the Bell Farmstead, attached as Exhibit C to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 3867 Smith Road, known as the Smith Farmstead, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039 and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 3867 Smith Road, known as the Smith Farmstead, attached as Exhibit D to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 722-766 John Counter Boulevard, known as the John Elliott Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 722-766 John Counter Boulevard, known as the John Elliott Farmhouse, attached as Exhibit E to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 831 Montreal Street, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 831 Montreal Street, attached as Exhibit F to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 1901 Jackson Mills Road, known as the Jackson Mill, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 1901 Jackson Mills Road, known as the Jackson Mill, attached as Exhibit G to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 262 Wellington Street, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 262 Wellington Street, attached as Exhibit H to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 4226 Florida Road, known as the Walker Farmstead, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 4226 Florida Road, known as the Walker Farmstead, attached as Exhibit J to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 617-619 Union Street, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 617-619 Union Street, attached as Exhibit K to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 79-83 Princess Street, known as the Robert White Building, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-039; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 79-83 Princess Street, known as the Robert White Building, attached as Exhibit L to Report Number HP-24-039, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

Carried as Amended

Amendment:

Moved by: Councillor Glenn

Seconded by: Councillor Oosterhof

That the designation of 2973 Orser Road, as described in Exhibits A and I to Report HP-24-039, be deferred to the October 16, 2024 meeting of the Kingston Heritage Properties Committee to allow for more information to be obtained from the Owner.

Carried

- 6. Working Groups**
- 7. Permit Approvals / Status Updates**
 - 1. September 2024**

The Committee did not provide comment.

8. Motions

There were none.

9. Notices of Motion

There were none.

10. Other Business

There was none.

11. Correspondence

There was none.

12. Date of Next Meeting

The next meeting of the Kingston Heritage Properties Committee is scheduled for Wednesday, October 16, 2024 at 9:30 a.m.

13. Adjournment

Moved by: Ms. Demitor

Seconded by: Mr. Legnini

That the meeting of the Kingston Heritage Properties Committee adjourn at 10:06 a.m.