



CITY OF KINGSTON
REPORT TO KINGSTON MUNICIPAL HERITAGE
COMMITTEE

Report No.: KMH-09-001

TO: Chair, Kingston Municipal Heritage Committee

FROM: Lance Thurston, Commissioner, Community Development Services Group

RESOURCE STAFF: Brian McCurdy, Director, Cultural Services Department
Marcus Létourneau, Heritage Planner, Cultural Services Department
Lindsay Lambert, Planner, Cultural Services Department

DATE OF MEETING: 2008-12-01

SUBJECT: 12 Drummond Street (Barriefield)
P18-456-086-2008 – Application for approval under the *Ontario Heritage Act*

413 Regent Street (Barriefield)
P18-439-087-2008 - Application for approval under the *Ontario Heritage Act*

EXECUTIVE SUMMARY:

The subject properties are designated under Part V of the *Ontario Heritage Act*, being located in the Barriefield Heritage Conservation District. The *Ontario Heritage Act* places the responsibility on the owner of a designated property to obtain approvals from the municipality for new construction, alteration and demolition, therefore each owner whose property is affected by the proposed new construction has filed a separate *Ontario Heritage Act* application. The applications for 12 Drummond Street P18-456-086-2008) and 413 Regent Street (P18-439-087-2008) are being treated as a new applications for new construction.

In terms of the content of the analysis offered in this report, staff have reviewed the application in light of the requirements of both the *Ontario Heritage Act* and the Barriefield Heritage Conservation District Master Plan. The applications have also been reviewed for archaeological potential, as per the current Council endorsed policy on archaeology which states that (in addition to all *Planning Act* applications), all *Ontario Heritage Act* applications are to be reviewed for archaeological potential using the Council endorsed checklist for the identification of this potential (Planning Committee Report PC-06-009, Approved by Council under Report 72, Clause 8 on May 23, 2006). The applications have also been circulated to other relevant City Departments and the comments/requirements arising from this circulation are included in the report.

RECOMMENDATION:

That the subject applications be given approval in principle, with final approval being considered upon the following matters being addressed and submitted to the Cultural Services Department (formerly Culture and Heritage Division, Culture and Recreation Department) for review by staff and consideration by the Council via the Kingston Municipal Heritage Committee:

- 1) That the design of the roofline and the exterior treatment of the Drummond Street façade be revised to achieve compliance with the Barriefield Heritage Conservation District Plan;

- 2) That the application for 12 Drummond Street be revised and an additional application for 14 Drummond Street be submitted to ensure that the covered carriageway (previously demolished) is included as part of the new construction, thereby achieving a new structure that will more closely match the characterization of the former structure (in relation to its surroundings) as depicted in the Barriefield Heritage Conservation District Plan; and
- 3) That as the subject property demonstrates archaeological potential, the proponent undertake a Stage One Archaeological Assessment of the entire property, thereby obtaining the necessary professional opinion as to whether the site of the addition and the demolished structure is disturbed (both extensively and intensively) and addressing the need for any further archaeological requirements to ensure the conservation of potential archaeological resources prior to any construction occurring on the property.

AUTHORIZING SIGNATURES:

<p>ORIGINAL SIGNED BY COMMISSIONER</p> <p>Lance Thurston, Commissioner, Community Development Services Group</p>
<p>ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER</p> <p>Gerard Hunt, Chief Administrative Officer</p>

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Commissioner Beach, <i>Sustainability & Growth</i>	N/R
Commissioner Leger, <i>Corporate Services</i>	N/R
Jim Keech, President, <i>Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:

Origin

The applications for 12 Drummond Street (P18-456-086-2008) and 413 Regent Street (P18-439-087-2008), are being treated as new applications for new construction. A letter from the Director of Culture and Recreation Department, M. Fluhrer to the property owner of 12 Drummond Street dated August 8, 2008 is attached as Exhibit 'A'. This letter outlined the requirements for a new application for new construction.

All three aforementioned properties are designated under Part V of the *Ontario Heritage Act* and fall within the Barriefield Heritage Conservation District. The structure located at 12 Drummond Street was demolished in the spring of 2008. New construction on the property, along with any other property on which new construction is proposed, requires approval under the *Ontario Heritage Act* (OHA).

Site Characteristics

The property known as 12 Drummond Street is located within the Barriefield Heritage Conservation District. The property is approximately 0.03 hectares in size with 9.2 metres \pm of frontage on Drummond Street and a depth of 37.8 metres \pm .

The property known as 413 Regent Street is located within the Barriefield Heritage Conservation District. The property is approximately 0.04 hectares in size with 12.5 metres \pm of frontage on Regent Street and a depth of 37.8 metres \pm . The property is situated on a corner lot and therefore it also possesses frontage on Drummond Street

Applications

P18-456-086-2008 - 12 Drummond Street

On September 15, 2008 and October 15, 2008, Bruce Downey of Hughes Downey Architects submitted an application on behalf of the property owner, Mark Gray, for approval under the *Ontario Heritage Act* for new construction on the property municipally known as 12 Drummond Street. The application was deemed complete by Culture and Heritage Division staff on October 20, 2008 and is attached to this report as Exhibit 'B'.

In the covering letter to the application dated September 15, 2008, the application is summarized as a new 73.9m² structure "set on the footprint of what existed and configured and detailed exactly as previously approved by the Heritage Committee. The application also proposes to construct the 10.2m² rear addition that was also previously approved by Council (via KMHC)."

Drawing SP-1 notes the following regarding the proposed garage "...approved by heritage committee requires approval from committee of adjustment for setbacks". A chronology of the applications and OHA events related to the subject property has been prepared and appears as Exhibit 'C' to this report. A review of the chronology confirms that the garage did not receive approval from Council (via KMHC). The covering letter to the application advises that the approval for the garage will be pursued following the Committee of Adjustment process to obtain a necessary minor variance under the *Planning Act*.

P18-439-087-2008 - 413 Regent Street

On October 15, 2008, Bruce Downey of Hughes Downey Architects submitted an application on behalf of the property owner, Lynda Wilde, for approval under the *Ontario Heritage Act* for new construction on the property municipally known as 413 Regent Street. The application was deemed complete by Culture and Heritage Division staff on October 20, 2008 and is attached to this report as Exhibit 'D'. As the construction at 12 Drummond Street is proposed to occur on the same footprint as that of the demolished building, there will be a 3-6 inch encroachment onto the property municipally known as 413 Regent Street. The nature of the encroachment is reportedly due to an overhang. As the *Ontario Heritage Act* places the responsibility for approval on the property owner, a separate application is required for each property on which new construction is proposed.

14 Drummond Street

Drawing SP-1 notes a "covered alley". It is important to note that the covered carriageway was demolished, a point that is more accurately reflected in the covering letter provided with the application for 12 Drummond Street. To date, an application has not been received concerning 14 Drummond Street for the new construction of the demolished covered carriageway. The carriageway was connected to both structures (on 12 Drummond and 14 Drummond), with the severance in 2004 creating the lot line along the midpoint of the carriageway. The approved property line is shown on drawing SP-1, found within Exhibit 'B'. The cover letter for the application concerning 12 Drummond Street notes that the issue of the reconstruction remains a point of discussion between the two property owners and that once the situation is resolved, a proposed solution will be brought forward to KMHC for review and consideration.

Policy and Legislative Framework

There are a number of documents and pieces of legislation that govern approvals to works on heritage properties. While most people consider the *Ontario Heritage Act*, Official Plans, the *Planning Act*, and the Provincial Policy Statement, along with any other City By-law relating to the protection of cultural heritage resources, must be considered.

Ontario Heritage Act

The subject properties are designated under Part V of the *Ontario Heritage Act*. Part V of the Act deals with Heritage Conservation Districts, which in this case is the Barriefield Heritage Conservation District. Section 42 of the Act requires that the owner of the property situated in a heritage conservation district obtain a permit from the municipality prior to erecting any structure or building on the property. The Act is specific to place the responsibility on the property owner to obtain the municipal approval, therefore the Culture and Heritage Division requires a separate application for each property on which new construction is proposed.

Barriefield Heritage Conservation District Plan

Works within the Barriefield Heritage Conservation District are guided by the Barriefield Heritage Conservation District Plan. This document was adopted by the former Pittsburgh Township on June 8, 1992 as Motion #9.

Within the Plan, the following is stated which relates to new construction.

Within the intent, the document states that Council will recognize that "certain property owners will wish to add on, alter, or otherwise change their property to accommodate required living space or new facilities and Council may permit such work provided that it is in conformity with the applicable guidelines in this plan" (page iv). The plan recognizes that change is inevitable and the most appropriate response to change is to manage it in a responsible and consistent manner while recognizing the unique character of Barriefield Village" (page iii).

Within the District Plan and Guidelines, one of the main district goals is to avoid the destruction of Barriefield's heritage buildings and to encourage appropriate changes that are reversible (Section 2.2.1, page 2-3). The Plan also states that any change should encourage the maintenance of a stable, low density residential environment and that any new development must respect and compliment the low profile and character of existing structures (Sections 2.2.5 and 2.2.6, page 2-4). The Plan requires that new construction respects the prevailing character of adjacent buildings and existing streetscape. These policies have applicability when considering the new dwelling being proposed through the subject applications, as when compared to the demolished structure, the proposed new dwelling has a different appearance in terms of the profile of the roofline, whereas the Plan requires that the roof of new construction is compatible in design. It is also important to note that drawing A-3 does not offer an accurate rendering as to the appearance of the new structure from an elevation perspective in the absence of the covered carriageway. Drawing A-3 continues to assume the inclusion of the covered carriageway, although the written description provided in support of the application proposes to deal with this particular aspect of the development at a later time.

2008-12-01

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The conservation principles (Section 2.3, page 2-5) include the retention of heritage buildings with an active discouragement of demolition, recognizing the importance of respecting alterations and change over time, retaining the distinguishing characteristics of a heritage property, the replacement of architectural feature should match the material in composition, design, texture, colour, size, and level of craftwork, and the use of historic research to replace or repair missing architectural elements. Contemporary design work will only be allowed where they do not destroy significant historical architectural, streetscape or cultural resources and where they are compatible. Upon assessing the proposed dwelling in the context of this policy, there is a concern that the exterior treatment of stone on the primary façade strays from the composition, design, texture, colour and size of the demolished structure (clapboard and asphalt roof).

There are also clear guidelines for new construction within the district. New construction is recognized as part of a continually evolving cultural heritage landscape. While not all are going to be addressed in this document, there are a couple issues of note that relate to this application. Among issues of note is the avoidance of efforts to "recall historical design motifs", maintain the high of existing roof lines, and the predominant roof profile. Where the addition is attached to a heritage property, alterations must ensure that historic building materials and architectural features are protected, and that character defining elements (particularly front facades) are not radically changed. Roof shape and configurations shall be conserved and new roof vents, solar panels, or skylights must be inconspicuous. New construction must minimize soil disturbance to protect archaeological resources. Among the issues that must be addressed in any new construction are "locations, massing and height, as well as the design (which should distinguish between new and old). Relating to building location, new residential infill must maintain the existing setbacks of adjacent properties, and appropriate variances to the zoning-by-law should be sought where the minimum requirement for front yards does not permit this setback. Windows should reflect the vertical and rectangular proportions of the new building (Section 4.5.4 p. 4-14).

While the construction proposed through the applications involving 12 Drummond Street and 413 Regent Street are being processed as new construction, the absence of the covered carriageway through the new construction should be considered as an alteration, as the applications as submitted provide no assurances that a proposal to reinstate the covered carriageway is forthcoming. The Plan in dealing with alterations to the features and spaces around buildings, emphasizes the need to preserve and maintain driveways, walkways, fences and walls that contribute to the special character of the space around a heritage building. (Section 4.3.5, page 4-8).

The Appendices to the District Plan provide an entry for 12-14 Drummond Street under Historical Building Inventory (page 3-51). The reference to the built heritage of the section now known as 12 Drummond Street is as a one storey frame addition. The proposed new construction, particularly if the covered carriageway is not constructed, could result in the property no longer being interpreted from the streetscape as a one-storey frame addition but as a standalone dwelling that lacks the contextual relationships formerly ascribed to the demolished structure.

The Appendices to the Plan provide a building condition survey of the property formerly known as 12-14 Drummond Street (page A4-48). The streetscape context for the property is noted to be "highly prominent" and the setback is noted to be "adjacent to the street". Upon evaluating the applications received for the new construction to date, the absence of a proposal to reconstruct the carriageway will have a considerable impact on any future evaluations of the streetscape context of the two properties (12 and 14 Drummond Street). In the absence of the covered carriageway, the streetscape context will also be impacted should the detached garage receive a future approval under the OHA and *Planning Act*, as it would be more likely to be visible from the street, even with the existence of the approximately 20 foot wooden fence as depicted on drawing SP-1.

Archaeology

Council has endorsed a Provincial Checklist for the identification of archeological potential (Planning Committee Report PC-06-009, Approved by Council under Report 72, Clause 8 on May 23, 2006). The checklist has been approved by Council for use by staff as a screening tool for archaeological potential when processing *Ontario Heritage Act* and/or *Planning Act* applications.

The Barriefield Heritage Conservation District Plan contains policies around the protection of archaeological resources through new construction, which are further described above. As previously confirmed earlier in this report, the agent for the application was advised through a letter dated August 8, 2008 (attached as Exhibit 'A') of all of the preliminary requirements of the relevant City departments through a request for new construction on the subject property. One of the preliminary requirements flagged in this letter was the need to address archaeology through the *Ontario Heritage Act* process as well as the *Planning Act* process (if required). Cultural Services Department staff have completed the Checklist and it is attached as Exhibit 'E'. Based on the scoring of the checklist, the subject property possesses high archaeological potential, which is the measure by which staff determine the requirement of a Stage One Archaeological Assessment. The experience of staff when dealing with applications involving archaeological requirements has routinely demonstrated that it is often more cost effective and prudent to address archaeological requirements as soon as possible in the process. One of the questions on the Provincial Checklist requires a determination as to whether the property or development site has incurred recent disturbance. The disturbance must be confirmed to be both extensive and intensive in nature. Culture Services staff have recently been advised by the Ministry of Culture that the determination of disturbance should not be completed in an unqualified manner and should be performed by a licensed archaeologist. This is another reason suggesting that prior to the subject applications being approved, a Stage One Archaeological Assessment be completed for the entire property, particularly to obtain a professional opinion as to whether extensive and intensive disturbance has occurred in the area of the demolished building and addition and the need for any further assessment of other areas of the property where future development is expected to be proposed (i.e. detached garage).

Provincial Policy Statement/Official Plan/ Zoning By-Law

Through the technical circulation of the subject applications to the Planning and Development Department, Cultural Services Department staff have received confirmation that the development proposals as submitted do not require any approvals under the *Planning Act*. For this reason, the legislative framework and policy surrounding the documents that flow from the *Planning Act* (Provincial Policy Statement, Official Plan and Zoning By-Law) are not examined in this report.

Conclusion

In summary, although the new construction proposed through the subject applications is an attempt to newly construct the building fabric that was lost through demolition, there are elements of the design that are not consistent with the District Plan. Firstly, the proposed profile of the roofline is significantly different from that of the demolished structure, which will impact the streetscape. The roof area contains skylights that will be visible from the street and will not offer respect to the prevailing character of adjacent buildings and the existing streetscape. Secondly, the proposed exterior treatment of stone for the Drummond Street façade is not in keeping with the Plan's policies towards matching the material in composition, design, texture, colour, size, and level of craftwork. Thirdly, with no assurances of the new construction of the covered carriageway, the new construction at 12 Drummond could have the appearance of a standalone dwelling with no relationship to the built heritage at 14 Drummond Street. This is opposed to its characterization in the District Plan as a single storey frame addition. Finally, with the need to have a licensed archaeologist to provide a professional opinion as to whether the area of the proposed construction is disturbed (both extensively and intensively) and the future expectation of new construction elsewhere on the property, the subject applications as submitted appear not to address the issue of archaeology.

EXISTING POLICY/BY LAW:

Ontario Heritage Act:

Part V, Section 42 erection, demolition etc

Barriefield Heritage Conservation District Plan:

Section 2.0 Conservation goals, objectives and principles

Section 4.3 Alterations to heritage buildings and sites

Section 4.5 Construction of new buildings

Part II: Appendices (Historical Building Inventory and Building Condition Survey)

NOTICE PROVISIONS:

Notice of the public meeting concerning the subject application has been published in a newspaper having general circulation in the municipality. The public meeting is scheduled for the Kingston Municipal Heritage Committee meeting on November 3, 2008. The *Ontario Heritage Act* does not require a public meeting for approvals given by a municipality under the Act.

ACCESSIBILITY CONSIDERATIONS:

This application was circulated for review and comment to members of the Municipal Accessibility Advisory Committee (via the Accessibility Coordinator).

FINANCIAL CONSIDERATIONS:

N/A

CONTACTS:

Brian McCurdy, Director, Cultural Services Department
Marc Létourneau, Heritage Planner, Cultural Services Department
Lindsay Lambert, Planner, Cultural Services Department

546-4291 ext. 1354
546-4291 ext. 1386
546-4291 ext. 1154

OTHER CITY OF KINGSTON STAFF CONSULTED:

Alan McLeod, Senior Legal Counsel, Legal Services Department

The following internal staff departments were circulated the *Ontario Heritage Act* applications for review and comment: Staff have provided the following comments/requirements:

P18-456-086-2008 (12 Drummond Street)

Technical Agency	Comments
Building Department	No comments received.
Property Standards	We have no orders for 12 Drummond St.
Planning & Development Department	Waiting for revised comments based on revised site plan drawing.
Engineering Department	<ul style="list-style-type: none"> • For new home construction the applicant will be required to provide a plot plan with their building permit which will be reviewed by Engineering. At minimum the plot plan illustrates the location of the building envelope, provides existing grades for the property and proposed grades around the elevation at building corners and entrance points as well as finished floor elevations. Grading information is provided to ensure that the new building does not adversely impact the neighbouring properties. Servicing to the house is provided including sanitary and water services and any other utilities required to service the lot. The driveway location is also included. A copy of the Engineering Departments requirements for Plot Plans was provided under separate cover. • If the applicant is altering the location of the driveway then an Entrance Permit is also required. If there is intent to share the driveway they must provide the City with the existing right of way agreement. If one does not exist then a new one should be drafted and registered on title. • From the information provided there does not appear to be any encroachment into the public right of way • We note there is another application related to this submission for 413 Regent Street, your file number P18-439-087-2008. Engineering has no comment related to this application as the encroachment is onto private lands.
Public Works & Emergency Services – Operations	No comments received.
Utilities Kingston	We have reviewed the above application and attached drawings and have the following comment;

	If the proposed work results in the need to relocate or upgrade existing services or to install new services, all associated costs shall be the responsibility of the applicant.
Kingston Hydro	Kingston Hydro has no concerns with these applications, however the location of the electrical meter may affect the appearance or the encroachment, please see attached.
Accessibility Coordinator	The MAAC has no concerns with this application.

P18-439-087-2008 (413 Regent Street)

Technical Agency	Comments
Building Department	No objection from this department
Property Standards	We have no orders for 413 Regent Street.
Planning & Development Department	For the file, there are no zoning issues for this item as long as the related application at 12 Drummond Street is being repaired.
Engineering Department	We note there is another application related to this submission for 12 Drummond Street, your file number P18-456-086-2008. Engineering has not comment related to this application as the encroachment is onto private lands.
Public Works & Emergency Services – Operations	No comments received.
Utilities Kingston	We have reviewed the above application and the attached sketch and have the following comment: Utilities Kingston has no concerns with, or objections to this application.
Kingston Hydro	Kingston Hydro has no concerns with these applications, however the location of the electrical meter may affect the appearance or the encroachment, please see attached.
Accessibility Coordinator	The MAAC has no concerns with this application.

EXHIBITS ATTACHED:

- Exhibit 'A' Application P18-456-086-2008 (12 Drummond Street)
- Exhibit 'B' Application P18-439-087-2008 (413 Regent Street)
- Exhibit 'C' Chronology – 12 Drummond Street
- Exhibit 'D' Letter from M. Fluhrer to B. Downey (08/08/08) regarding new application requirements
- Exhibit 'E' Completed Provincial Checklist for the identification of archaeological potential (12 Drummond Street)

EXHIBIT 'A'

Letter from M. Fluhrer to B. Downey (08/08/08) regarding new application requirements



COPY

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

www.cityofkingston.ca

where history and innovation thrive

August 8, 2008

Mark Gray
12 Wellington Street
Box 1502
Kingston ON K7L 5C7

Dear Mr. Gray:

**Re: Requirements for an *Ontario Heritage Act* Application for New Construction –
12 Drummond Street**

On behalf of City of Kingston, I am writing to provide you with the requirements for an application for new construction under the *Ontario Heritage Act* (OHA) and preliminary comments from other City Departments concerning separate approvals. The previous OHA approval for the subject property (application number P18-456-059-2007) for renovation of the existing building, with new windows and a small addition at the rear is no longer valid, and a new application for new construction is required.

An 'Application for Alteration under the *Ontario Heritage Act*' (enclosed), requesting approval for works on a property designated under Part V of the OHA is required, along with all required supporting information specified in the application form, including new detailed construction drawings.

Once deemed complete by Culture & Heritage Division staff, the application will be reviewed by several other City Departments (i.e. Building & Licensing, Planning & Development) which will have an opportunity to comment on the application. The application would then proceed to the next available Kingston Municipal Heritage Committee (KMHC) meeting for consideration and a recommendation to the Council of the Corporation of the City of Kingston. Please note that under the *Ontario Heritage Act*, final approval of any such application rests with City Council.

The new application will be reviewed for consistency with the *Barrie/Field Heritage Conservation District Plan* and the OHA. As this project involves new construction, adherence to Section 4.5 (Construction of New Buildings) of the District Plan is of particular importance. The application will also be reviewed for consistency with all other relevant City of Kingston heritage policies and by-laws.

OHA applications are screened for archaeological requirements through a completion of the Council endorsed Provincial Checklist (approved by City Council under Report 72, Clause 8 on May 23, 2006) for the identification of archaeological potential.

Please note that any request to rebuild the covered carriageway would require a separate Ontario Heritage Act application for the portion of the construction located on the property municipally known as 14

Culture & Recreation Department – Community Development Services Group
216 Ontario Street, Kingston, ON K7L 2Z3

Phone: 613-546-4291 ext. 1342 * Fax: 613-546-1899 * e-mail: mfluhrer@cityofkingston.ca


Drummond Street. The owners of 14 Drummond Street will be advised of the requirement specific to their property through separate correspondence.

The Culture & Heritage Division has consulted with other municipal departments on their requirements with respect to the OHA application and/or any necessary approvals separate from the OHA application. A summary of these requirements, including the relevant application/information forms submitted by the consulted departments is enclosed. Please note that the Development Approvals Division has identified the possible requirement of a minor variance application, which in turn would require the submission of a Heritage Impact Statement, as the subject property and adjacent properties are designated under Part V of the OHA. If a minor variance is required, the Heritage Impact Statement should be prepared in accordance with the City's guidelines (enclosed) and should be submitted with the OHA application as well. If a minor variance is necessary, it would also trigger the requirement that the development is screened against the aforementioned Council endorsed Provincial Checklist for the identification of archaeological potential. Additional information on the requirements of other relevant municipal departments may be forthcoming. Based on the nature of the proposal, yet to be received by the City, all of the comments contained herein are preliminary and subject to change.

Additionally, should you wish to pre-consult with KMHC (during the course of a regular meeting) in advance of submitting an Application for Alteration under the *Ontario Heritage Act*, please contact Lindsay Lambert 613-546-4291 ext. 1154 or email: llambert@cityofkingston.ca for information on this process. Pre-consultation is not mandatory, however many applicants find that it is a very worthwhile exercise in terms of receiving input from KMHC members that can be incorporated into their application.

Should you have any questions about the above/enclosed requirements, please contact the Culture & Heritage Division (613-546-4291 ext. 1236).

Sincerely,

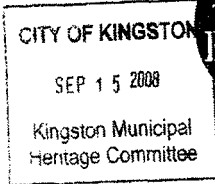


Mark Fluhrer, Director
Culture & Recreation Department
Community Development Services Group

Enclosures

- copy: Lance Thurston, Commissioner, Community Development Services Group
- George Wallace, Director, Planning & Development Department
- Kimberley Brown, Infrastructure Engineer, Engineering Department
- Terry Willing, Director, Building & Licensing Department
- Damon Wells, Director, Public Works Department
- Luke Follwell, Engineering Intern, Utilities Kingston
- Marcus Létourneau, Heritage Planner, Culture & Heritage Division
- Lindsay Lambert, Planner, Culture & Heritage Division

EXHIBIT 'B'
P18-456-086-2008 (12 Drummond Street)



The Corporation of the City of Kingston
Planning Division
Planning & Development Services
1425 Midland Avenue
c/o City Hall, 216 Ontario Street
Kingston, Ontario K7L 2Z3
Phone (613) 546-4291 (3180) Fax (613) 384-6645

APPLICATION FOR A HERITAGE PERMIT
UNDER THE ONTARIO HERITAGE ACT

THE ACCURACY AND COMPLETENESS OF THIS APPLICATION IS THE RESPONSIBILITY
OF THE APPLICANT.

DATE FILED: Sept 15, 2008 APPLICATION NO: P18-456-086-2008

The undersigned hereby applies to the Kingston Municipal Heritage Committee (LACAC) of the Corporation of the City of Kingston pursuant to Section 34 and 42 of the Ontario Heritage Act, 1974, as amended, for alteration or addition as described in this application.

1. NAME OF OWNER MARK GRAY
ADDRESS OF OWNER 12 WELLINGTON ST, BOX 1502, KINGSTON, ON
POSTAL CODE K7L 5C7 TELEPHONE NO. 613-544-0396
EMAIL: seika@kingston.net
2. LOCATION OF PROPERTY:
CIVIC ADDRESS 12 DRUMMOND STREET, BARRIEFIELD
LOT NO. LOT 6 PARTS 3 & 4 REGISTERED PLAN NO. 51(RP)
ASSESSMENT ROLL NO. _____
3. NAME OF AGENT (IF ANY) HUGHES DOWNEY ARCHITECTS
ADDRESS 230 RIDEAU STREET, KINGSTON, ON
POSTAL CODE K7K 3A4 TELEPHONE NO. 613-544-9183
4. BRIEF DESCRIPTION OF WORK TO BE UNDERTAKEN

The Building is: proposed existing
Request to: demolish remove alter

Notice of Collection

Municipal Freedom of Information and Protection of Personal Privacy Act

Personal information collected at this hearing is collected under the authority of the Planning Act, R.S.O. 1990 as amended, and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments will be made available for public disclosure. Questions regarding this collection should be forwarded to The Manager, Planning Division, 1425 Midland Avenue, c/o The City of Kingston, 216 Ontario Street, Kingston, Ontario, K7L 2Z3, telephone (613) 546-4291, Ext. 3252.

5. WRITTEN DESCRIPTION

The writer must provide a complete written description all work to be approved by the Kingston Municipal Heritage Committee (LACAC). This description should complement photos, drawings, detailed construction plans, and any other sketches submitted with the application. Please complete the description on any standard 8 1/2 x 11 paper, either by computer or other means, but in any case in a legible manner and attach to the application.

6. CONSTRUCTION DRAWINGS, SKETCH PLANS, SCALE DRAWINGS

Along with construction drawings, and scale drawings, the applicant may also (but not in lieu of) submit a sketch of any alterations made over a photo or free hand.

Drawings to scale indicating the existing building must include:

1. overall dimensions;
2. specific sizes of building elements (signs, windows, awnings, etc.);
3. detail information including trim, siding, moldings, etc. including sizes and profiles;
4. electrical/mechanical information, if applicable;
5. materials to be used (these must also be included in the written description of the project) but should be noted on drawings to indicate their location; and
6. construction methods and means of attachment (these must be included in the written description of the project).

7. PHOTOGRAPHS

Photographs of the building including general photos of the property, the streetscape in which the property is located, the facing streetscape, and, if the property is located at an intersection, all four corners. Photos of the specific areas that may be affected by the proposed change or alteration must be included.

8. PROFESSIONAL ASSISTANCE

Although it is not a requirement to obtain professional assistance in the preparation of this information, the applicant may wish to seek such assistance from an architect, architectural technologist, preservation specialist, or others familiar with the unique requirements of designated heritage buildings.

9. BUILDING CODES AND BY-LAWS

It is the applicant's responsibility to address issues relating to public safety and correct building practices and by-law regulations.

10. OTHER APPLICATIONS

Do you have any concurrent applications (i.e. Committee of Adjustment)? YES NO

If YES, Please List _____

11. To Be Completed By City Staff

DESIGNATED PROPERTY

LISTED PROPERTY

DESIGNATING BY-LAW NO. 5497/8912

Handwritten signatures and circled 'YES' and 'NO' responses for the above items.

Property Listing in Buildings of Architectural and Historical Significance

VOLUME: 116

PAGE NO: 116

HERITAGE DISTRICT BARRIEFIELD

Handwritten signature of Bruce Downey.

SIGNATURE OF OWNER(S)

Please print name legibly under signature.

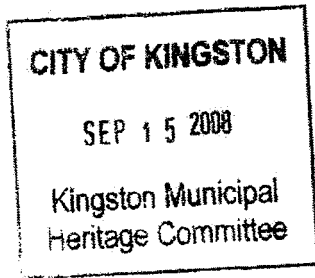
Bruce Downey, Hughes Downey Architects

SIGNATURE OF AGENT

If the application is signed by an agent, the owner's written authorization for the agent to act, must accompany this application.

September 15, 2008

Lindsay Lambert,
Heritage Planner
Culture and Heritage Division
Culture & Recreation Department
Community Development Services Group
City of Kingston



Dear Lindsay,

On behalf of Mark Gray:

I have attached with this letter a set of construction drawings for the changes to the property of 12 Drummond.

Since the last meeting of the Committee we have reviewed the original drawings and made several changes to identify that the structure will be a new one set on the footprint of what existed and configured and detailed exactly as previously approved by the Heritage Committee.

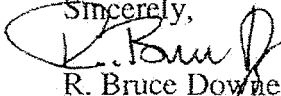
The drawings also include a note to identify that the roof over the carriageway is still a point of discussion between the property owners at 12 Drummond and 14 Drummond. Once this situation is resolved I will present the solution to the Committee for review and comment. The Owner is interested in having what he creates to be compatible and visually connected with 14 Drummond St. It has always been important to Mark that the roofline continues to pass over the alley and connect to 14 Drummond. He is aware that the maintenance of the roof and the means by which it is connected to and flashed to 14 Drummond is the responsibility of 12 Drummond.

I understand that it was confirmed at the last meeting of the Heritage Committee at which Steve Murphy, Terry Willing were present, that the Building Department has no difficulty with this work proceeding as submitted. I understood from you that this submission would not be circulated to all departments but simply receive permission to proceed from the Committee at the October meeting.

If you have questions or concerns about the material submitted please let me know as soon as possible.

I will be available at the October meeting to present the work and be available for questions from the Committee.

The garage is still indicated on the site plan but it is understood that approval from the Committee will only follow after approval is received for a required minor variance for reducing the setback and we complete the construction drawings of the garage for review by the Committee.

Sincerely,

R. Bruce Downey

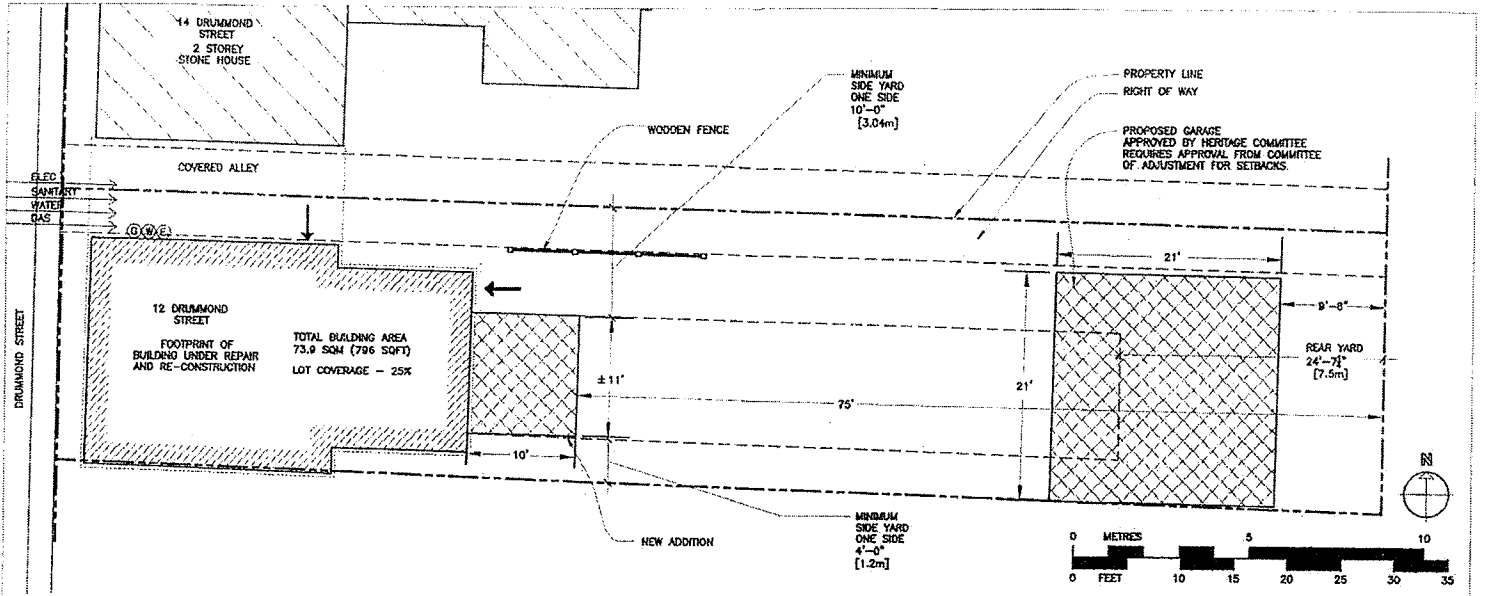
REPORT TO KINGSTON MUNICIPAL HERITAGE COMMITTEE

P18-456-086-2008
12 Drummond Street

P18-439-087-2008
413 Regent Street

Report No.: KMH-09-001

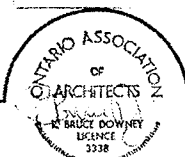
2008-12-01
- Page 15 -



CITY OF KINGSTON

NOV 6 9 2008

Kingston Municipal
Heritage Committee



LEGEND	BUILDING PERMIT NOTES	ZONING INFORMATION	DRAWING LIST																					
<p>⊕ GAS METER</p> <p>⊕ WATER METER</p> <p>⊕ POWER METER</p> <p>▨ NEW CONSTRUCTION</p> <p>▨ LOCATION OF BUILDING UNDER REPAIR AND RE-CONSTRUCTION</p>	<p>EXTENT OF WORK THESE DRAWINGS ARE TO BE USED FOR BUILDING PERMIT AND RE-CONSTRUCTION OF ONE STOREY RESIDENCE.</p> <p>THE ARCHITECT WHO SEALS AND SIGNS THIS DRAWING HAS EXERCISED RESPONSIBLE CONTROL WITH RESPECT TO DESIGN ACTIVITIES. THE ARCHITECT'S SEAL NUMBER IS THE ARCHITECT'S BCOR. THE CERTIFICATE OF PRACTICE NUMBER OF THE HOLDER IS THE HOLDER'S BCOR. THESE DRAWINGS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, AND WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.</p> <p>PERFORM ALL WORK IN COMPLIANCE WITH THE CURRENT EDITIONS OF THE ONTARIO BUILDING CODE AND THE ONTARIO HEALTH AND SAFETY ACT.</p>	<p>ZONE R2-1 BARRIEFIELD - PITTSBURGH TOWNSHIP</p> <table border="1"> <thead> <tr> <th>SETBACKS</th> <th>REQUIRED</th> <th>PROVIDED</th> </tr> </thead> <tbody> <tr> <td>FRONT YARD DEPTH (MIN)</td> <td>1.2m (4'-0")</td> <td>ORIGINAL</td> </tr> <tr> <td>INTERIOR SIDE YARD WIDTH (MIN)</td> <td>1.2m (4'-0") ONE SIDE 3.04m (10') OTHER SIDE</td> <td>ORIGINAL - NEW ADDITION COMPLES</td> </tr> <tr> <td>REAR YARD DEPTH (MIN)</td> <td>7.5m (24'-7")</td> <td>72 BUILTS</td> </tr> <tr> <td>LOT COVERAGE (MAX)</td> <td>35%</td> <td>25%</td> </tr> <tr> <td>HEIGHT OF BUILDING (MAX)</td> <td>9m (29'-6")</td> <td>ORIGINAL</td> </tr> <tr> <td>ACCESSORY BUILDINGS (MIN)</td> <td>1.2m (4'-0") FROM ANY LOT LINE</td> <td>REQUIRES COMMITTEE OF ADJUSTMENT APPROVAL</td> </tr> </tbody> </table>	SETBACKS	REQUIRED	PROVIDED	FRONT YARD DEPTH (MIN)	1.2m (4'-0")	ORIGINAL	INTERIOR SIDE YARD WIDTH (MIN)	1.2m (4'-0") ONE SIDE 3.04m (10') OTHER SIDE	ORIGINAL - NEW ADDITION COMPLES	REAR YARD DEPTH (MIN)	7.5m (24'-7")	72 BUILTS	LOT COVERAGE (MAX)	35%	25%	HEIGHT OF BUILDING (MAX)	9m (29'-6")	ORIGINAL	ACCESSORY BUILDINGS (MIN)	1.2m (4'-0") FROM ANY LOT LINE	REQUIRES COMMITTEE OF ADJUSTMENT APPROVAL	<p>DRAWING LIST</p> <p>SP-1 SITE PLAN</p> <p>A-1 PLAN</p> <p>A-2 MECHANICAL LOFT PLAN</p> <p>A-3 WEST ELEVATION</p> <p>A-4 SOUTH ELEVATION</p> <p>A-5 EAST ELEVATION</p> <p>A-6 NORTH ELEVATION</p> <p>A-7 BUILDING SECTION</p> <p>A-8 CLERESTORY SECTION & DETAILS</p> <p>A-9 SUNROOM SECTION & DETAILS</p> <p>A-10 SKYLIGHT SECTION</p> <p>A-11 ROOF FRAMING PLAN</p> <p>R-1 FOUNDATION SECTION</p> <p>E-1 GROUND FLOOR ELECTRICAL PLUMBING</p> <p>E-2 LOFT ELECTRICAL PLUMBING</p> <p>M-1 IN-FLOOR HEATING LAYOUT</p>
SETBACKS	REQUIRED	PROVIDED																						
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PROJECT
GRAY RESIDENCE

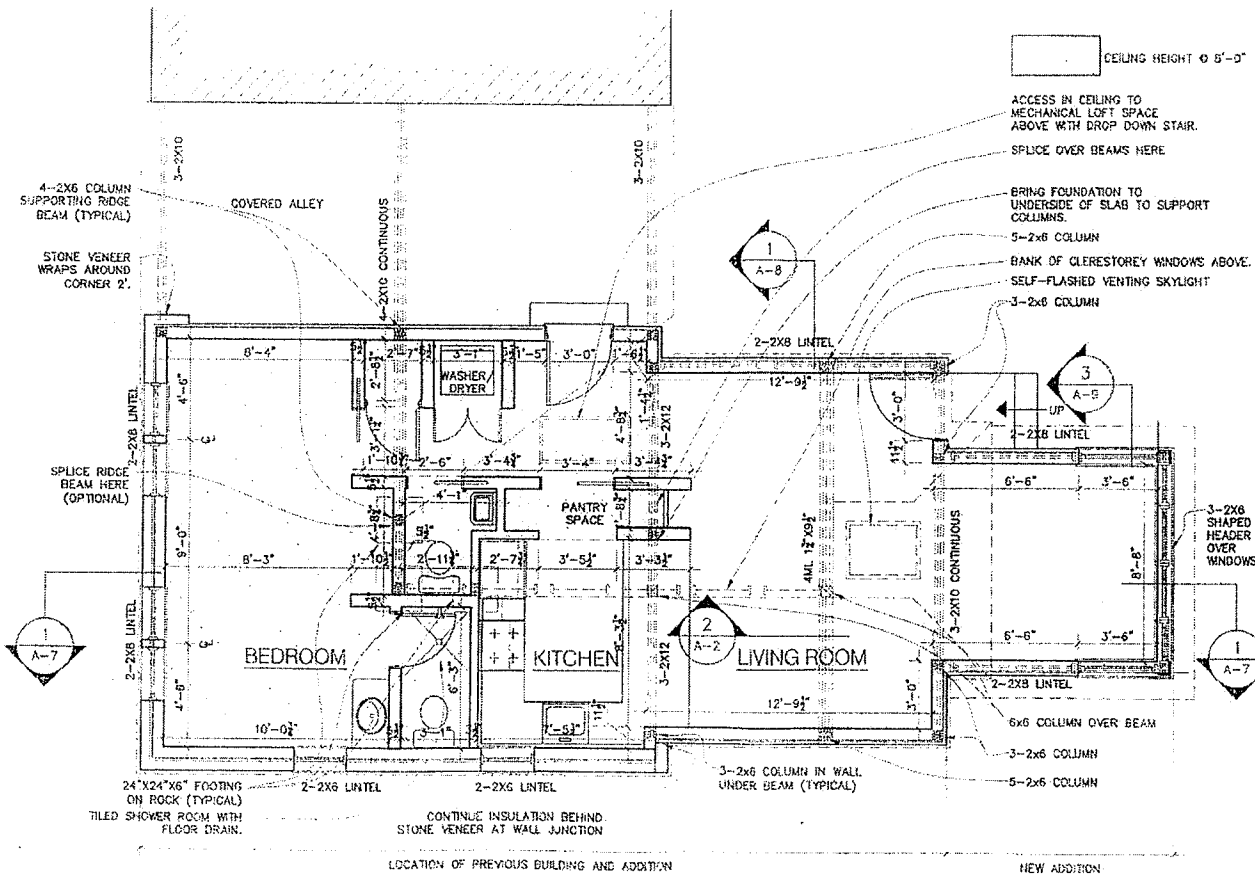
DRAWING
SITE PLAN

DRAWN BY L.C.
DATE 4 NOV 2008

JOB NO.
07-28

DWG. NO.
SP-1

REV. NO.
2



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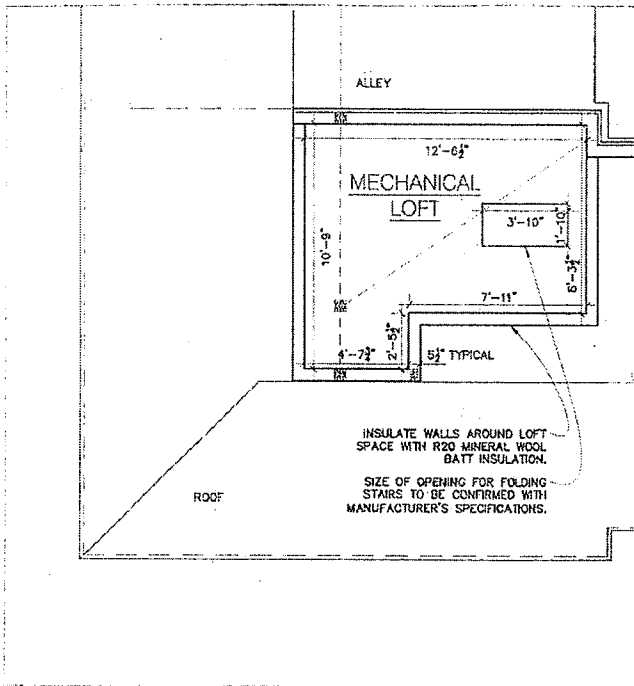
PROJECT
GRAY RESIDENCE
 13 DRUMMOND STREET
 BARBRIEFIELD

DRAWING
PLAN

DRAWN BY LT
 DATE 15 SEPT. 2008
 SCALE 1/4" = 1'-0"

DATE
07-28

REV. NO.
 A-1 1



FRAMING NOTES

1. USE SPRUCE-PINE-FIR SPECIES GROUP DESIGNATION FRAMING NO. 2 GRADE OR BETTER FOR STRUCTURAL LIGHT FRAMING AND SELECT STRUCTURAL WHERE EXPOSED BY HOUSE.
2. ISULATE ALL WOOD FRAMING FROM MASONRY AND CONCRETE WITH MIN. 60% POLYETHYLENE FILM OR TYPE S ROLL ROOFING.
3. CONSTRUCT INTERIOR WALLS WITH STUDS AT 16" O.C. IN SIZES NOTED ON PLANS. USE CONTINUOUS STUDS BETWEEN WALL PLATES.
4. PROVIDE TEMPORARY BRACING OF WALLS UNTIL SHEATHING IS INSTALLED.
5. NAIL TO 2x4 LINTELS UNLESS NOTED OTHERWISE.
6. ANCHOR SILL PLATE TO FOUNDATION WALL WITH 2" ANCHOR BOLTS MIN. 7'-10" APART EMBEDDED MIN. 4" IN FOUNDATION WALL AND FASTENED WITH NUTS AND WASHERS.

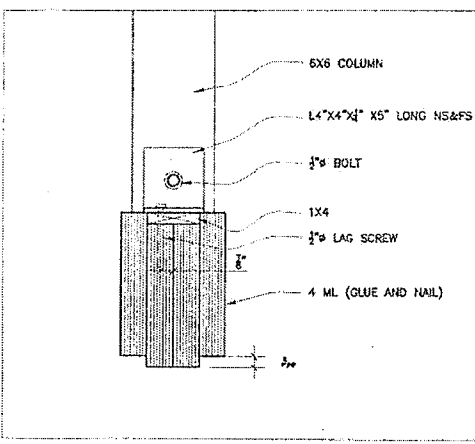
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1 MECHANICAL LOFT PLAN
1/4" = 1'-0"

2 BEAM/COLUMN CONNECTION DETAIL
2" = 1'-0"

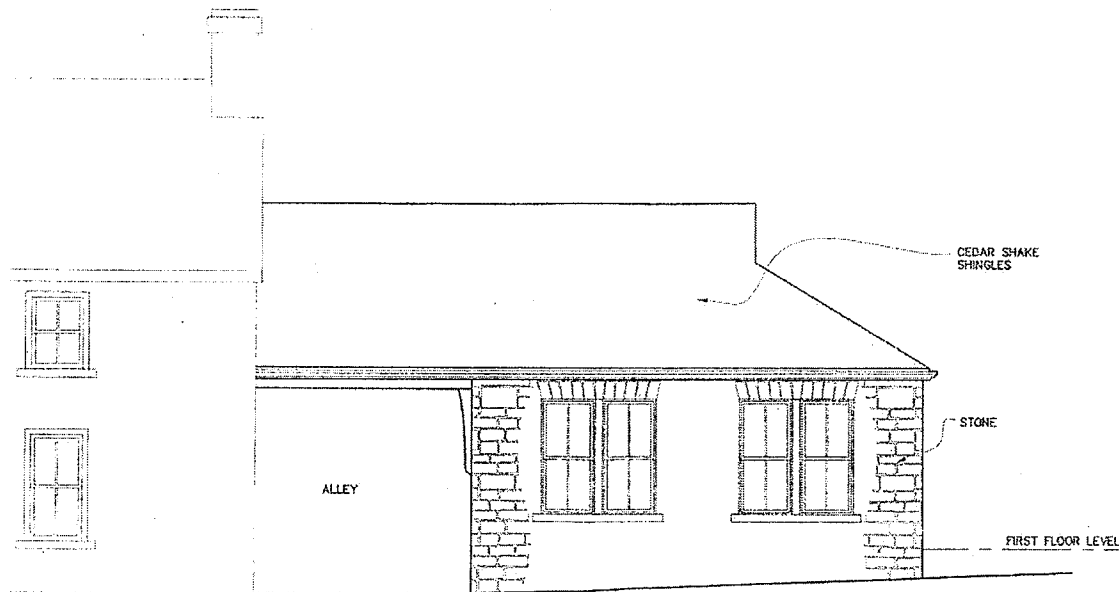
PROJECT
GRAY RESIDENCE
12 DRUMMOND STREET
BARRIEFIELD

DRAWING
MECHANICAL
LOFT PLAN

DRAWN BY LT
DATE 28 AUG, 2007
SCALE AS NOTED

JOB NO.
07-28

DRAW. NO. REV. NO.
A-2



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PROJECT
GRAY RESIDENCE
12 DRUMMOND STREET
BARRIEFIELD

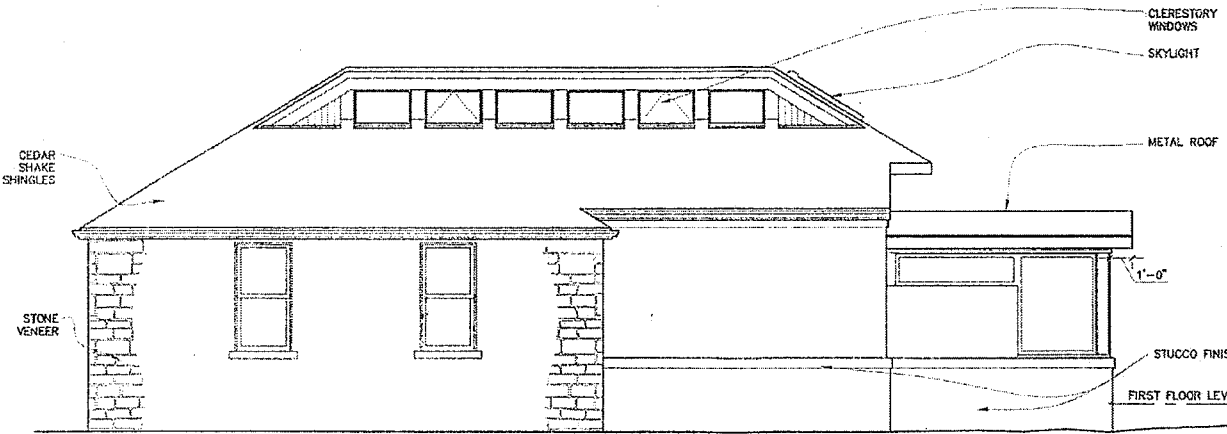
DRAWING
WEST ELEVATION

DRAWN BY: LT
DATE: 28 AUG, 2007
SCALE: 1/4" = 1'-0"

JOB NO.
07-28
DWG NO.
A-3

P18-456-086-2008 P18-439-087-2008
12 Drummond Street 413 Regent Street

2008-12-01
- Page 19 -



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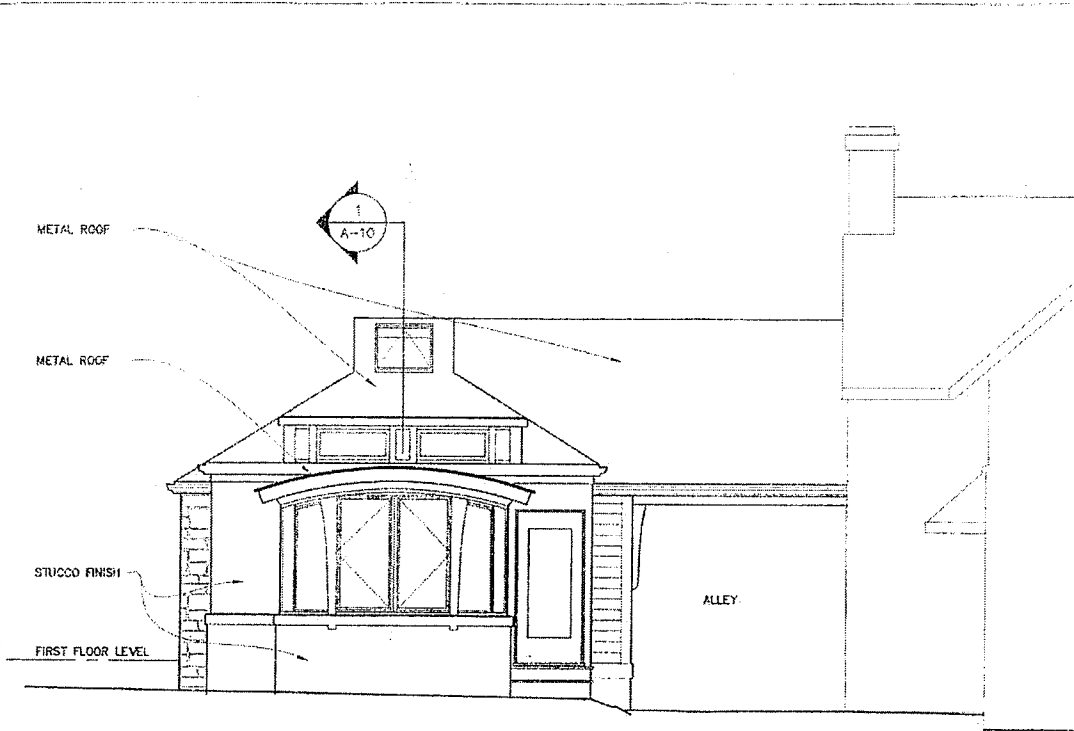
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PROJECT
GRAY RESIDENCE
 12 DRUMMOND STREET
 BARBERFIELD

DRAWINGS
SOUTH ELEVATION
 DRAWN BY LT
 DATE 28 AUG, 2007
 SCALE 1/2" = 1'-0"

JOB NO
07-28

DWG NO KEY NO
A-4



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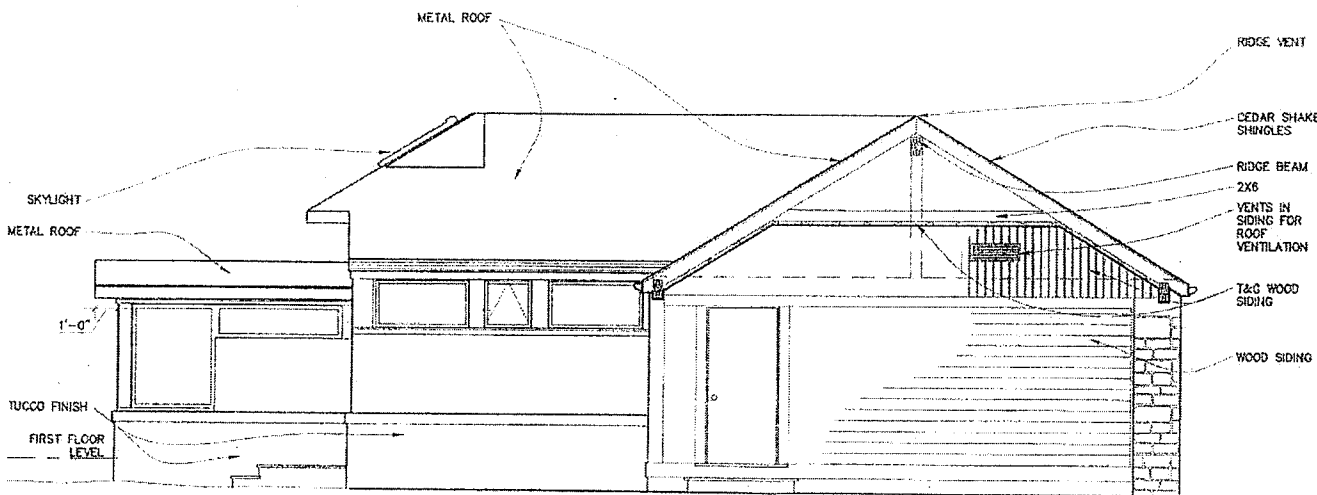
PROJECT
GRAY RESIDENCE
 12 DRUMMOND STREET
 BARRIEFIELD

DRAWING
EAST ELEVATION

DRAWN BY LT
 DATE 28 AUG, 2007
 SCALE 1/4" = 1'-0"

JOB NO.
07-28

DWG. NO. REV. NO.
A-5



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PROJECT
GRAY RESIDENCE
12 DRUMMOND STREET
BARRIEFIELD

DRAWING
**NORTH
ELEVATION**

DRAWN BY: LT
DATE: 28 AUG. 2007
SCALE: 1/4" = 1'-0"

JOB NO.
07-28

DATE NO. REV. NO.
A-6

W1 - WALL 1
 3" STONE VENEER
 1" AIR SPACE
 BUILDING WRAP
 1/2" EXTERIOR SHEATHING
 2X6 WOOD FRAMING @16"O.C.
 R20 (MIN) MINERAL WOOL BATT INSULATION
 VAPOUR BARRIER
 1/2" GYPSUM WALLBOARD

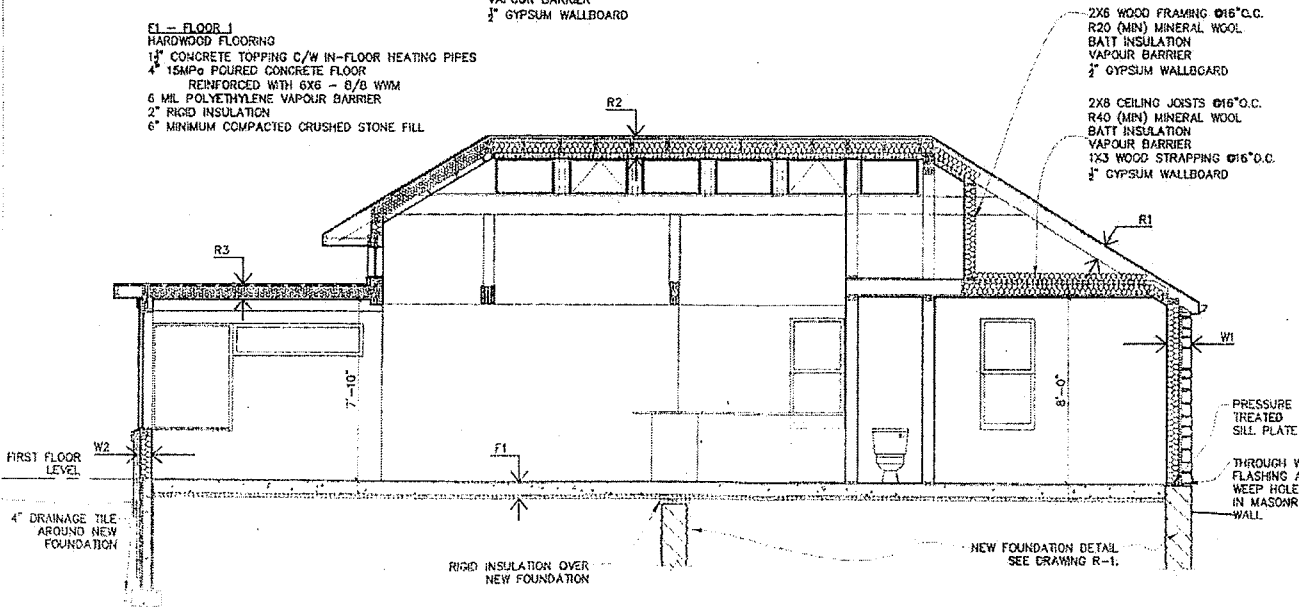
W2 - WALL 2
 ACRYLIC STUCCO FINISH
 1 1/2" DEAD BACK RIGID INSULATION
 BUILDING WRAP
 1/2" EXTERIOR SHEATHING
 2X6 WOOD FRAMING @16"O.C.
 R20 (MIN) MINERAL WOOL BATT INSULATION
 VAPOUR BARRIER
 1/2" GYPSUM WALLBOARD

F1 - FLOOR 1
 HARDWOOD FLOORING
 1 1/4" CONCRETE TOPPING C/W IN-FLOOR HEATING PIPES
 4" 15MPa POURED CONCRETE FLOOR
 REINFORCED WITH 6X6 - 8/8 W/M
 6 MIL POLYETHYLENE VAPOUR BARRIER
 2" RIGID INSULATION
 6" MINIMUM COMPACTED CRUSHED STONE FILL

R1 - ROOF 1
 CEDAR SHAKE SHINGLES
 1X3 BLUE LABEL RED CEDAR STRAPPING @ 16"O.C.
 ROOF PAPER
 ICE & WATER SHIELD AT EAVE @ 2'
 AND IN ALL VALLEYS
 1/2" EXTERIOR SHEATHING
 2X8 ROOF RAFTERS @16"O.C.

R2 - ROOF 2
 PRE-FINISHED STEEL ROOF
 ROOF PAPER
 ICE & WATER SHIELD AT EAVE @ 2'
 AND IN ALL VALLEYS
 1/2" EXTERIOR SHEATHING
 2X8 ROOF RAFTERS @16"O.C.
 R20 MINERAL WOOL BATT INSULATION
 2X3 WOOD STRAPPING @16"O.C.
 2" (R12) RIGID INSULATION INSET BETWEEN STRAPPING
 VAPOUR BARRIER
 1/2" GYPSUM WALLBOARD

R3 - ROOF 3
 STEEL ROOF
 1X3 WOOD STRAPPING @ 16"O.C.
 ICE & WATER SHIELD OVER ENTIRE ROOF
 2 LAYERS 1/2" EXTERIOR SHEATHING
 2X6 ROOF RAFTERS @12"O.C.
 R28 ICYENNE FOAMED-IN-PLACE INSULATION
 VAPOUR BARRIER
 1X3 WOOD STRAPPING
 1/2" GYPSUM WALLBOARD



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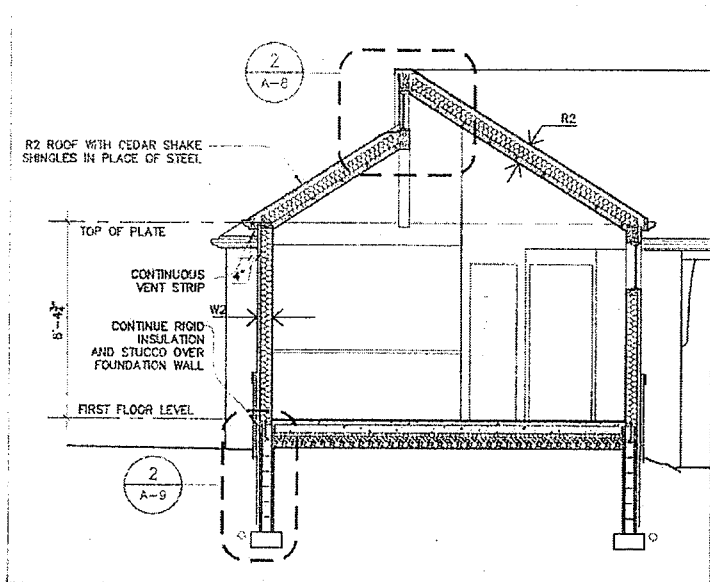
PROJECT
 GRAY RESIDENCE
 12 DRUMMOND STREET
 BARRIEFIELD

DRAWING
 BUILDING SECTION
 DRAWN BY LT
 DATE 15 SEPT, 2008

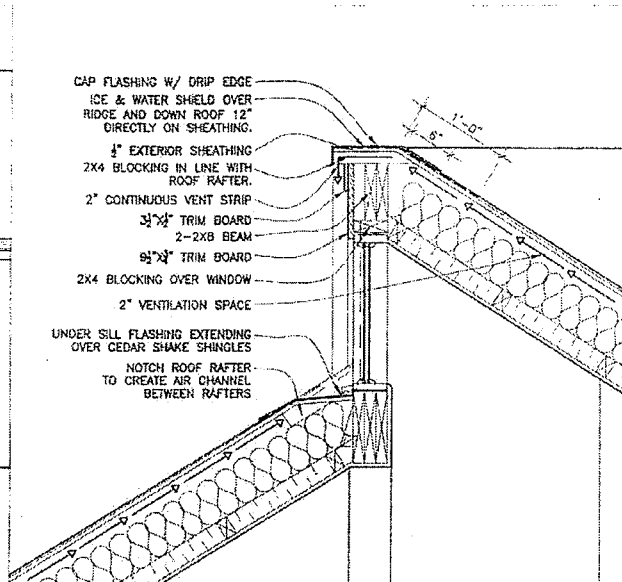
SCALE 1/4" = 1'-0"

JOB NO.
 07-28

DWG. NO. REV. NO.
 A-7 1



1 CLERESTORY SECTION
1/4" = 1'-0"



2 CLERESTORY DETAIL
1" = 1'-0"

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PROJECT
GRAY RESIDENCE
 12 DRUMMOND STREET
 BARRIEFIELD

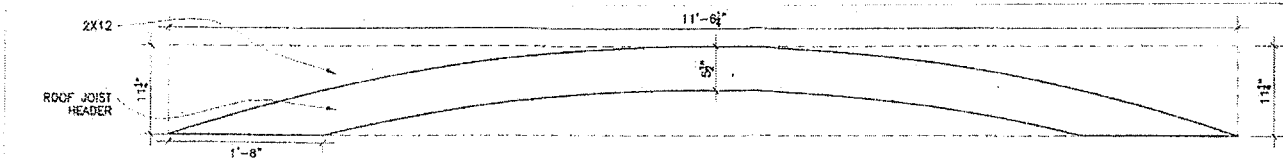
DRAWING
BUILDING SECTION & DETAILS
 DRAWN BY LT

DATE 28 AUG, 2007

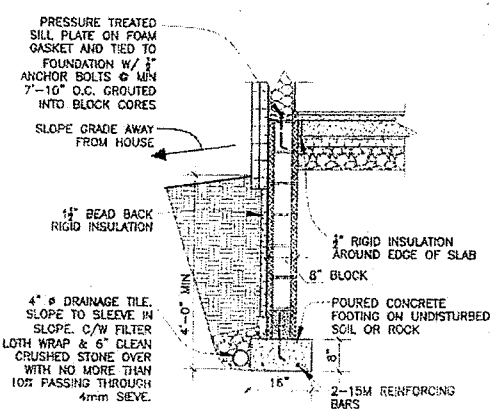
SCALE AS NOTED

JOB NO.
07-28

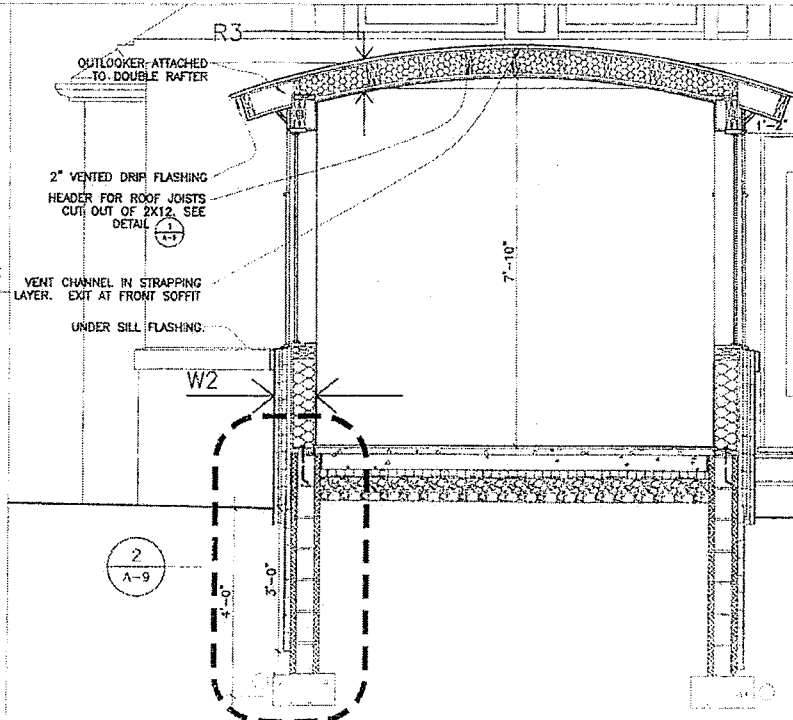
DWG. NO. REV. NO.
A-8



1 HEADER TEMPLATE
 1" = 1'-0"



2 FOUNDATION WALL DETAIL
 1/2" = 1'-0"



3 SECTION - SUNROOM
 1/2" = 1'-0"

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PROJECT
GRAY RESIDENCE
 12 DRUMMOND STREET
 BARRIEFIELD

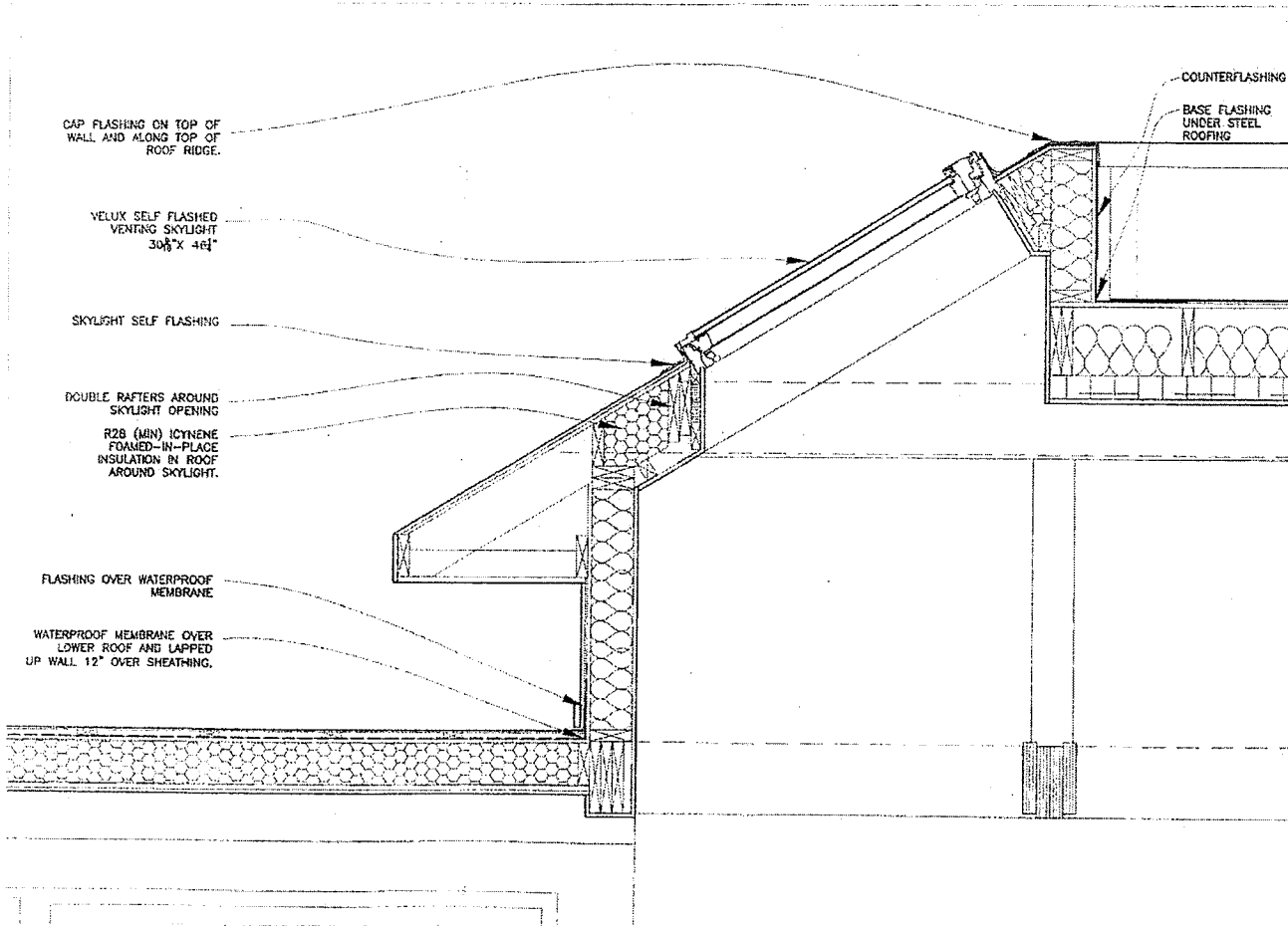
DRAWING
SUNROOM
 SECTION & DETAILS
 DRAWN BY LT

DATE 28 AUG, 2007
 SCALE AS NOTED

JOB NO.
07-28

DWG. NO.
A-9

REV. NO.



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 bruce@hughesdowney.ca



HUGHES DOWNEY ARCHITECTS
 CERTIFICATE OF PRACTICE # 03683

THESE DOCUMENTS ARE THE PROPERTY OF THE ARCHITECT AND ARE NOT TO BE USED WITHOUT REFERRING TO THE ARCHITECT. DRAWINGS ARE NOT TO BE SCALED AND ARE TO BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DOCUMENTS. CONFIRM ALL DIMENSIONS ON SITE.

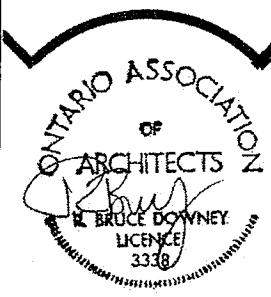
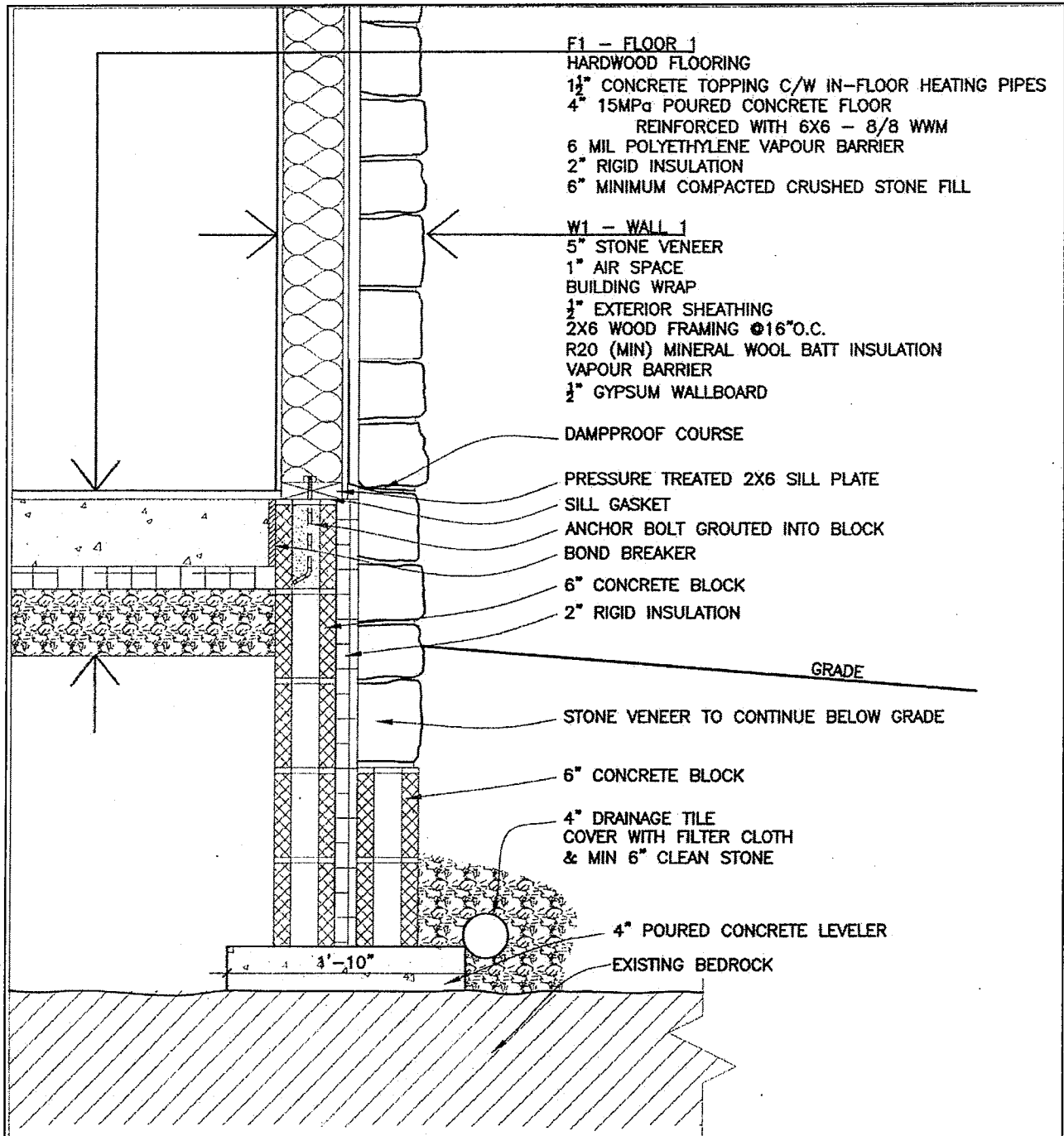
THESE DRAWINGS FORM THE BASIS FOR PERMIT ISSUANCE AND ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACES, DECKS, BALCONIES AND FINISHED BASEMENTS, WILL REQUIRE A REVISED DRAWING AND CLEARANCE BY THE BUILDING DEPARTMENT.

PROJECT
GRAY RESIDENCE
 12 DRUMMOND STREET
 BARRIEFIELD

DRAWING
SKYLIGHT SECTION

DRAWN BY LT
 DATE 28 AUG, 2007
 SCALE 1" = 1'-0"

JOB NO.
07-28
 DWG. NO. REV. NO.
A-10

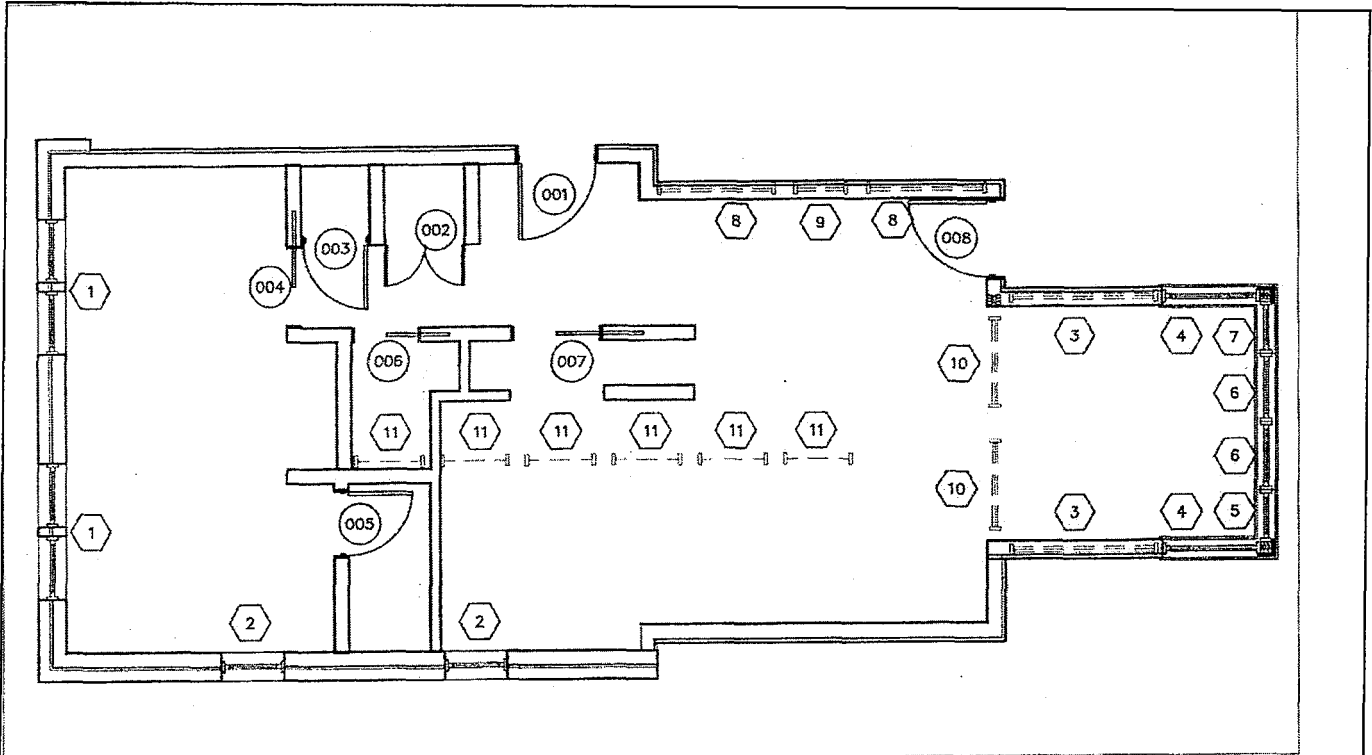


PROJECT
GRAY RENOVATION
 12 DRUMMOND STREET, KINGSTON, ONT.
 DRAWING
FOUNDATION SECTION

DRAWN BY LT
 PROJECT DATE 4 SEPT, 2007
 REVISION DATE 23 MAY, 2008
 SCALE 1"=1'-0"

JOB NO. **07-28**
 DWG. NO. **R-1**

27



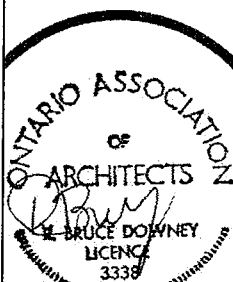
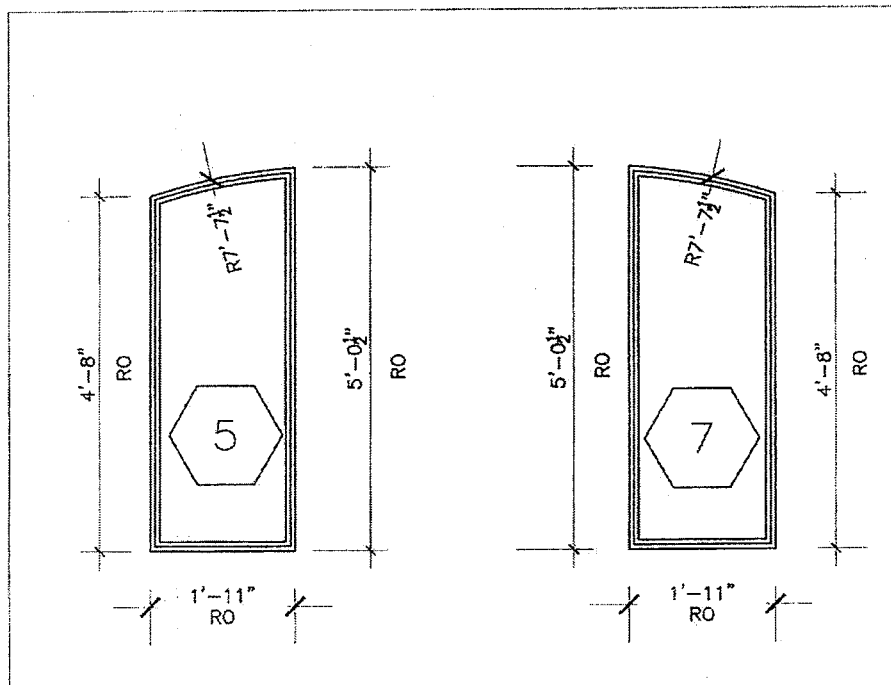
DOOR SCHEDULE					
NUM	DOOR TYPE	SIZE		QUANTITY	
		TOTAL WIDTH	HEIGHT		
001	EXTERIOR STEEL	3'-0"	6'-10"	1	NO GLAZING
002	INTERIOR WOOD-CLOSET	3'-0"	6'-8"	1	2 LEAVES
003	INTERIOR WOOD	2'-6"	6'-8"	1	
004	INTERIOR WOOD-POCKET	3'-0"	6'-8"	1	
005	GLASS-SHOWER	2'-6"	6'-8"	1	ETCHED GLASS
006	INTERIOR WOOD-POCKET	2'-6"	6'-8"	1	
007	INTERIOR WOOD-POCKET	3'-4"	6'-8"	1	
008	EXTERIOR STEEL	3'-0"	6'-10"	1	WITH GLAZING



PROJECT
GRAY RENOVATION
 12 DRUMMOND STREET, KINGSTON, ONT.
 DRAWING
WINDOW/DOOR SCHEDULE

DRAWN BY **LT**
 DATE **4 SEPT 2007**
 SCALE **NTS**
 JOB NO. **07-28**
 DWG. NO. **W-1**

WINDOW SCHEDULE					
NUM	WINDOW TYPE	ROUGH OPENING		QUANTITY	
		TOTAL WIDTH	HEIGHT		
1	FRENCH CASEMENT	5'-0"	5'-0"	2	
2	DOUBLE HUNG	2'-4"	4'-10"	2	VERIFY EXISTING OPENING
3	FIXED	5'-4"	1'-5"	2	
4	FIXED	3'-6"	4'-8"	2	
5	SPECIALTY FIXED	SEE DWG	SEE DWG	1	
6	CASEMENT	2'-6"	5'-1/2"	2	
7	SPECIALTY FIXED	SEE DWG	SEE DWG	1	
8	FIXED	4'-0"	2'-0"	2	
9	AWNING	2'-0"	2'-0"	1	
10	FIXED	3'-4"	1'-4 1/2"	2	
11	AWNING	2'-8"	1'-8 1/2"	6	4-FIXED; 2-AWNING



PROJECT
GRAY RENOVATION
 12 DRUMMOND STREET, KINGSTON, ONT.
 DRAWING
WINDOW/DOOR SCHEDULE

DRAWN BY **LT**
 DATE **4 SEPT 2007**
 SCALE **NTS**
 JOB NO. **07-28**
 DWG. NO. **W-2**

EXHIBIT 'C'
12 Drummond Street: A Chronology

Specific works on this property have been approved by Council via the Kingston Municipal Heritage Committee. A chronology of events concerning this property is as follows:

On Monday November 8, 2004, the owner of the property, then known as 12-14 Drummond Street attended a Kingston Municipal Heritage Committee meeting. The minutes from that meeting are as follows:

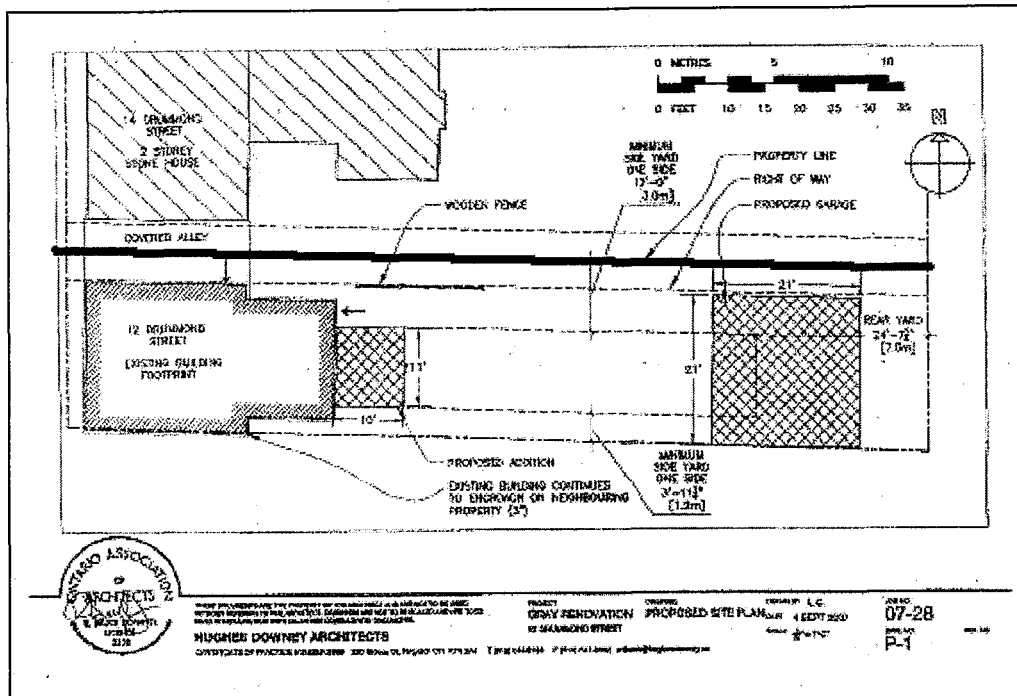
Delegation regarding properties located at 12 and 14 Drummond Street represented by Wilson & Wilson Law Firm, 738 Arlington Park Place K7M 8H9, to discuss severance of the property in relation to an existing garage.

Mr. Don Street, husband of one of the owner, and Ms. Leanne White, representing Wilson & Wilson Law Firm, were present to discuss the severance of 14 Drummond Street from 12 Drummond Street. The two properties are attached by a garage. Discussion have taken place with the Planning Department and it has been determined that solutions to sever the property could be to completely remove the garage, or to create a mutual breezeway by removing the doors of the garage which would allow parking at the rear of the buildings to be accessed.

It is noted that the setbacks from the new property line is a Planning issue. The driveway would be owned by one owner, with a right of way over it for the other owner. In regards to Heritage concerns, the least impact on the property would be to remove the garage so parking at the rear of the building should be accessed. It was noted that the doors could remain or be removed as the severance pertains to an invisible line.

An outstanding concerning regarding the replacement of windows, doors and chimneys at 12 Drummond Street was highlighted while the owner was present. The owner agreed that an application would be submitted for this work.

In reviewing the site plan for this property, it appears that when the severance occurred, the property line was placed in the middle of the covered alley, thus resulting in the roof being partially owned by the owners of 14 Drummond.



An application was brought forward for the renovation of the converted garage at 12 Drummond in August 2007. It was noted at that time by M. Letourneau that while demolition may be an option, it would require Council approval via KMHC. This was advised to Mr. Downey on July 19, 2007.

The matter was initially presented as an application that was added to the Kingston Municipal Heritage Committee (K.M.H.C./L.A.C.A.C.) MEETING NO. 2007-08 held Monday 13th August 2007 noon in the Councillors' Lounge, City Hall. The minutes are as follows:

xii. Delegation regarding 12 and 14 Drummond Street

Correspondence from Mr. Mark Gray dated 08th August 2007, a notice of authorization and direction for Mr. Gray to discuss his plans to alter the building, an e-mail dated 08th August by Mr. Downey, surveys, photos and sketches were noted.

Mr. Gray was present for the discussion, and advised of his condition of sale for the end of August. Mr. Downey explained his involvement, having been called by the real estate agent. On behalf of Mr. Grey, he explained the proposed renovations and addition, noting increasing the building to 1000 square feet with the possibility of a loft over the back addition. A 2- car garage with some room for storage could be built on the rock. It is proposed that the front portion of the building be stone and the back be board and batten. It was noted that the addition was built as a timber structure. To questions of members, Mr. Grey advised that there would be a stone cover on the carriage way. It was noted that the building was not a coach house, and it was suggested that stone walls should appear to be at least 18" thick.

It was recommended that Mr. Grey speak with the Building Department regarding his plans.

Moved by Mr. Cardwell

Seconded by Mr. Sims

That Application P18-456-059-2007 for a property located at 12 Drummond Street requesting approval for renovations to the building BE APPROVED IN PRINCIPLE.

CARRIED

This matter was Approved in Principle at the September 4, 2007 meeting of Council as Clause 9 of Report 90.

9. Approval in Principle of an Application for Renovations at 12 Drummond Street

THAT Application P18-456-059-2007 for a property located at 12 Drummond Street requesting approval for renovations to the building, a possible addition to the rear of the building with an increase in roof height of the rear addition and the construction of a two car garage in the rear yard BE APPROVED IN PRINCIPLE.

The matter was again discussed at the Kingston Municipal Heritage Committee (K.M.H.C./L.A.C.A.C.) MEETING NO. 2007-09 held on Monday 10th September 2007 in the Councillors' Lounge, City Hall. The minutes are as follows:

iii Delegation regarding Application P18-456-059-2007 for a property located at 12 Drummond Street requesting approval for renovations to the existing building and a small addition at the back.

A copy of a submission was attached to the agenda as Pages 09-14.

Mr. Mark Gray was present for the discussion.

Members noted that this project is considered as a new house using old materials. Concern was expressed that stone or stucco should be used around the corner rather than siding. Inside the entry wall in the covered area should be a softer material such as wood and not stucco.

The front elevation should be two single hung windows, and should not include transom lights.

Moved by Mr. Sims

Seconded by Mr. Cardwell

THAT Application P18-456-059-2007 for a property located at 12 Drummond Street requesting approval for renovations to the existing building and a small addition at the back BE APPROVED with the understanding that the west elevation be two single hung wood windows with a stone arch or lintels and no transoms.

CARRIED

This was approved by Council on Tuesday, September 18, 2007 as clause 4 of REPORT NO. 97 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC)

4. Approval of an Application for Renovations to the Existing Building and a Small Addition at the Back at 12 Drummond Street

THAT Application P18-456-059-2007 for a property located at 12 Drummond Street requesting approval for renovations to the existing building and a small addition at the back BE APPROVED with the understanding that the west elevation be two single hung wood windows with a stone arch or lintels and no transoms.

The matter was again considered at the Kingston Municipal Heritage Committee Meeting (KMHC/LACAC) Meeting No 2007-10 held on October 15, 2007 in the Councillors' Lounge, City Hall. The minutes are as follows:

iii. Discussion regarding Application P18-456-059-2007 for a property located at 12 Drummond Street, Barriefield requesting consideration for the style of windows to be installed.

A copy of a submission was attached to the agenda as Pages 33-35.

Mr. Downey declared a possible pecuniary interest and distributed copies of two drawings indicating two different options for windows on the front facade. He noted a possible double window option the same height as the previous suggestion, and the same width as the windows next door. He said the owner wants to have casement windows, and these would be 6" down from the gutter with a 4" band across the top of the windows. He noted the work being done is not a restoration and replicates characteristics of other windows throughout the village.

Moved by Councillor Glover

Seconded by Mr. Duerkop

THAT Application P18-456-059-2007 for a property located at 12 Drummond Street, Barriefield requesting approval for options for windows BE APPROVED in accordance with drawings dated 28th August 2007 with the understanding that either Option A or Option B can be used.

CARRIED

This recommendation was endorsed by Council as Clause 4 of REPORT NO. 113 OF THE KINGSTON MUNICIPAL HERITAGE COMMITTEE (LACAC) which stated the following:

4. Approval of an Application for Options for Windows at 12 Drummond Street, Barriefield

THAT Application P18-456-059-2007 for a property located at 12 Drummond Street, Barriefield requesting approval for options for windows BE APPROVED in accordance with drawings dated 28th August 2007 with the understanding that either Option A or Option B can be used.

The material in the application package spoke specifically to the renovation of the existing structure.

On May 13, 2008, a message was received by the City of Kingston indicating that the building at 12 Drummond Street had been demolished. This email was then forwarded to D. Stowe who indicated that a demolition permit had not been issued. On the same day, Building and Licensing agreed to follow up to see what had transpired.

On Friday May 16, 2008, Building and Licensing advised that a permit had been issued, but was issued under a different role number. The Building Inspector issued the demolition permit following a request from the owner.

On May 20, 2008, L. Lambert advised that the submission of a new application would be required and in order to attend the next KMHC meeting, that a pre-consultation form would need to be submitted as the deadline for submitted applications for the June 2008 meeting had passed. It was advised that there was no approval for the demolition.

P18-456-086-2008 P18-439-087-2008
12 Drummond Street 413 Regent Street

2008-12-01
- Page 33 -

EXHIBIT 'D'

Application P18-439-087-2008 (413 Regent Street)

CITY OF KINGSTON
OCT 15 2008
Kingston Municipal
Heritage Committee



The Corporation of the City of Kingston
Planning Division
Planning & Development Services
1425 Midland Avenue
c/o City Hall, 216 Ontario Street
Kingston, Ontario K7L 2Z3
Phone (613) 546-4291 (3180) Fax (613) 384-6645

APPLICATION FOR A HERITAGE PERMIT
UNDER THE ONTARIO HERITAGE ACT

THE ACCURACY AND COMPLETENESS OF THIS APPLICATION IS THE RESPONSIBILITY
OF THE APPLICANT.

DATE FILED: Oct 15, 2008 APPLICATION NO: P18-439-087-2008

The undersigned hereby applies to the Kingston Municipal Heritage Committee (LACAC) of the Corporation of the City of Kingston pursuant to Section 34 and 42 of the Ontario Heritage Act, 1974, as amended, for alteration or addition as described in this application.

1. NAME OF OWNER Lynda Wilde

ADDRESS OF OWNER 413 Regent St. Barriefield, Kingston

POSTAL CODE K7K 5R7 TELEPHONE NO. 613-540-4900

EMAIL: _____

2. LOCATION OF PROPERTY:

CIVIC ADDRESS Same 413 Regent St. *ss*

pt LOT NO. 68 REGISTERED PLAN NO. 51 *ss*

ASSESSMENT ROLL NO. 101109009003100000 *ss*

3. NAME OF AGENT (IF ANY) Hughes Downey Architects

ADDRESS 230 Rideau St. Kingston

POSTAL CODE K7L 3A4 TELEPHONE NO. 613-544-9183

4. BRIEF DESCRIPTION OF WORK TO BE UNDERTAKEN

An encroachment onto 413 Regent Street of 3 to 6 inches, by a building that was recently demolished on the property at 12 Drummond Street, is identified in the sale of 12 Drummond to Mark Gray. This encroachment is not apparent on the site survey attached and may relate to the overhang of the now demolished building. Since it is the intention of the Owner and a building permit has been issued to construct a new building on the footprint of the one recently demolished at 12 Drummond, this application is being filed to identify the alteration at 413 Regent Street to the extent of that encroachment.

The Building is: proposed existing
Request to: demolish remove alter

Notice of Collection

Municipal Freedom of Information and Protection of Personal Privacy Act
Personal information collected at this hearing is collected under the authority of the Planning Act, R.S.O. 1990 as amended, and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments will be made available for public disclosure. Questions regarding this collection should be forwarded to The Manager, Planning Division, 1425 Midland Avenue, c/o The City of Kingston, 216 Ontario Street, Kingston, Ontario, K7L 2Z3, telephone (613) 546-4291, Ext. 3252.

5. WRITTEN DESCRIPTION

The writer must provide a complete written description all work to be approved by the Kingston Municipal Heritage Committee (LACAC). This description should complement photos, drawings, detailed construction plans, and any other sketches submitted with the application. Please complete the description on any standard 8 1/2 x 11 paper, either by computer or other means, but in any case in a legible manner and attach to the application.

6. CONSTRUCTION DRAWINGS, SKETCH PLANS, SCALE DRAWINGS

Along with construction drawings, and scale drawings, the applicant may also (but not in lieu of) submit a sketch of any alterations made over a photo or free hand.

Drawings to scale indicating the existing building must include:

1. overall dimensions;
2. specific sizes of building elements (signs, windows, awnings, etc.);
3. detail information including trim, siding, moldings, etc. including sizes and profiles;
4. electrical/mechanical information, if applicable;
5. materials to be used (these must also be included in the written description of the project) but should be noted on drawings to indicate their location; and
6. construction methods and means of attachment (these must be included in the written description of the project).

7. PHOTOGRAPHS

Photographs of the building including general photos of the property, the streetscape in which the property is located, the facing streetscape, and, if the property is located at an intersection, all four corners. Photos of the specific areas that may be affected by the proposed change or alteration must be included.

8. PROFESSIONAL ASSISTANCE

Although it is not a requirement to obtain professional assistance in the preparation of this information, the applicant may wish to seek such assistance from an architect, architectural technologist, preservation specialist, or others familiar with the unique requirements of designated heritage buildings.

9. BUILDING CODES AND BY-LAWS

It is the applicant's responsibility to address issues relating to public safety and correct building practices and by-law regulations.

10. OTHER APPLICATIONS

Do you have any concurrent applications (i.e. Committee of Adjustment)? YES NO

If YES, Please List _____

11. To Be Completed By City Staff

DESIGNATED PROPERTY	YES	NO
LISTED PROPERTY	YES	NO
DESIGNATING BY-LAW NO. 8497/8892		

Property Listing in Buildings of Architectural and Historical Significance
VOLUME: n/a PAGE NO: n/a

HERITAGE DISTRICT Barrie field

SIGNATURE OF OWNER(S)
Please print name legibly under signature.

SIGNATURE OF AGENT

If the application is signed by an agent, the owner's written authorization for the agent to act, must accompany this application.

Hughes Downey Architects

230 Rideau Street, Kingston, ON K7K 3A4

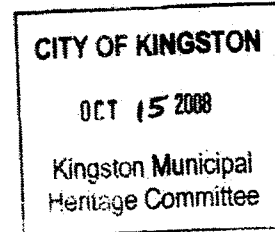
bruce@hughesdowney.ca / mikaela@hughesdowney.ca

Tel: 613-544-9183

Fax: 613-547-0852

October 15, 2008

Lindsay Lambert,
Heritage Planner
Culture and Heritage Division
Culture & Recreation Department
Community Development Services Group
City of Kingston



Dear Lindsay,

On behalf of Mark Gray (12 Drummond St) and Lynda Wilde (413 Regent St):

As per your request for additional information, I have attached with this letter:

- A letter of authorization from Mark Gray owner of 12 Drummond
- A letter of authorization form Lynda Wilde owner of 413 regent St.
- A Heritage application for 413 Regent St for alterations to that property complete with two site plans identifying the boundary of 12 Drummond and 413 Regent.

None of the documents seem to note the encroachment.

I was made aware of the encroachment by Mr. Gray who was made aware of it at the time of purchase of his property from the Owner of 413 Regent Street. In recent discussions with Lynda Wilde there was mention of a possible encroachment based on survey pins that were found and that the encroachment may relate to the overhang of the roof of the building recently demolished at 12 Drummond.

Both property Owners are willing to accept that situation and proceed to construct the new building as previously approved by the Heritage Committee which shall have the same encumbrances on 413 Regent as did exist with the recently demolished building. The new structure will be placed on the same footprint as identified in the attached surveys.

Sincerely,

R. Bruce Downey
cc- Lynda Wilde and Mark Gray

2008-12-01

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September 29, 2008

Lindsay Lambert

Heritage Planner

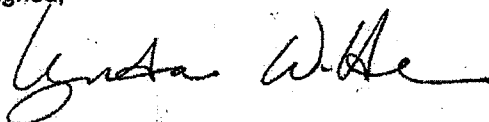
City of Kingston,

Department of Culture and Recreation

Dear Ms. Lambert,

I live at 413 Regent St., Barriefield, and am in support of the construction planned by Mark Gray at 12 Drummond Street, Barriefield. I am aware that a Heritage Application has to be prepared for an alteration to my property to address the encroachment of Mark's Building onto my property in the same manner as the original garage did. For the preparation and submission of this Application, I am authorizing Hughes Downey Architects to act as my agent.

Signed,



Lynda Wilde

413 Regent St., Barriefield

P18-456-086-2008
12 Drummond Street

P18-439-087-2008
413 Regent Street

2008-12-01
- Page 37 -



The Corporation of the City of Kingston
Culture and Heritage Division
Culture and Recreation Department
Community Development Services Group
216 Ontario Street
Kingston, Ontario K7L 2Z3
Phone (613) 546-4291, Ext 1236
Fax (613) 546-3180

Located at: 310 King St E
The British Whig Building (facing Market Square)

Notice of Receipt: Heritage Permit Application

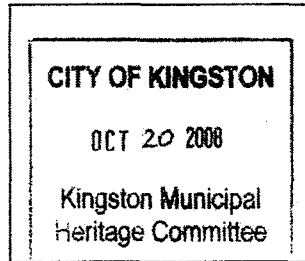
Applicant: Lynda Wilde Application No. P18-439-087-2008
c/o Bruce Downey, Hughes Downey Architects

I hereby acknowledge receipt of your application for a Heritage Permit for the following property:

CIVIC ADDRESS 413 Regent Street

Your Application filed on Oct 15, 2008 is:

Complete



Deemed Complete On:

(Date Stamp)

Incomplete

Please note that the following information is required to complete your application.

Please note that incomplete applications will not be forwarded for consideration by the Kingston Municipal Heritage Committee and Council.

The date of the next meeting is Nov 3/08
Meetings are held in the Councilor's Lounge, City Hall
from 1:00-4:30 PM.
Please contact Susan Powley (613-546-4291 ext 1204)
on Oct 31/08 if you desire a specific time.

Lindsay Lambert
STAFF SIGNATURE

Lindsay Lambert
Please print name legibly under signature.

Notice of Receipt as required under the Ontario Heritage Act

Section 33 (3) of the Ontario Heritage Act requires a notice of receipt to be served on each applicant. Questions regarding this receipt should be forwarded to the Culture and Heritage Division, The City of Kingston, 216 Ontario Street, Kingston, Ontario, K7L 2Z3, telephone (613) 546-4291, Ext. 1236.

EXHIBIT 'E'
 Completed Provincial Checklist for the Identification of Archaeological Potential (12 Drummond Street)

12 Drummond St.

Exhibit 'C'

**CHECKLIST
 FOR DETERMINING ARCHAEOLOGICAL POTENTIAL**

	Potential Feature	Yes	No	Not Available	Comment
1	Known Archaeological Site (250 m)		X		If Yes, Potential Determined.
*** PHYSIOGRAPHIC FEATURES ***					
2	Water - Any within 300 metres?	✓			If Yes, what kind of water?
2a	Primary Water Source (300 m) (lakeshore, river, large creek, etc.)	✓			If Yes, Potential Determined.
2b	Secondary Water Source (200 m) (stream, spring, marsh, swamp)	✓			If Yes, Potential Determined.
2c	Ancient Water Source (300 m) (beach ridge, river bed)	✓			If Yes, Potential Determined.
3	Elevated Topography (knolls, drumlins, eskers, plateaus, etc.)	✓			If Yes, and Yes for any of 4-9, Potential Determined.
4	Pockets of Sandy Soil in a clay or rocky area				If Yes, and Yes for any of 3, 5-9, Potential Determined.
5	Unusual Land Formations (mounds, caverns, waterfalls, etc.)				If Yes, and Yes for any of 3-4, 6-9, Potential Determined.
*** HISTORIC CULTURAL FEATURES ***					
6	Extractive Area (for food or scarce resources)				If Yes, and Yes for any of 3-5, 7-9, Potential Determined.
7	Non-Aboriginal Settlement (monuments, cemeteries, etc.)	✓			If Yes, and Yes for any of 3-6, 8-9, Potential Determined.
8	Historic Transportation (road, rail, portage, etc.)	✓			If Yes, and Yes for any of 3-7 or 9, Potential Determined.
9	Designated Property (Refer to LACAC or Clerk's office)	✓			If Yes, and Yes for any of 3-8, Potential Determined.
*** APPLICATION SPECIFIC INFORMATION ***					
10	Local Knowledge	✓			If Yes, Potential Determined
11	Recent Disturbance (confirmed extensive and intensive)		X	Z	If Yes, No Potential

Handwritten notes on the right side of the table:
 Archaeological site
 In the beam
 Area identified
 20 m behind
 visible in
 2007 AM?
 Archaeological
 resources
 (potential)
 identified
 in 18m x 14m
 area

SUMMARY:

- If Yes to any of 1, 2a-2c, or 10:
- If Yes to two or more of 3-9:
- If unqualified Yes to 11, or no to 1-10:

Archaeological Potential is Confirmed
 Archaeological Potential is Confirmed
 Low Archaeological Potential is Confirmed

Handwritten summary notes:
 Site disturbed but
 cannot confirm
 extensive and
 intensive
 → this must be
 assessed by a
 licenced archaeologist