



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-033

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: July 17, 2024

Subject: Application for Ontario Heritage Act Approval

Address: 292 Johnson Street (P18-797)

File Number: P18-059-2024

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

The subject property with the municipal address of 292 Johnson Street is located on the corner of Johnson and Barrie Street, across the street from Ecole Cathedrale E.S. The property consists of one half of a two-and-one-half storey double house with a mansard roof on an irregular lot that includes a one-and-a-half storey drive shed in the rear yard that is rapidly deteriorating. The property is designated under Part V of the *Ontario Heritage Act*.

An application for alteration under Section 42 of the *Ontario Heritage Act* (P18-059-2024) has been submitted to request approval to demolish a one-and-a-half storey rear yard drive shed that abuts a municipal laneway. The applicant has supplied photos of the building and a description of the structural failure as well as an Order to Remedy issued by the City's Building Services Department. Once demolished, a future approval under the *Ontario Heritage Act* is necessary to establish a new building in the location.

July 17, 2024

Page 2 of 8

This application was deemed complete on June 6, 2024. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to demolish a building or structure on a designated property under Section 42(4). This timeframe will expire on September 4, 2024.

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 Kingston Heritage Properties Committee recommends to Council:

That the alterations to the property at 292 Johnson Street, be approved in accordance with details described in the application (File Number: P18-059-2024), which was deemed complete on June 6, 2024, with alterations to include the demolition of a one-and-a-half storey drive shed in the rear yard that abuts a City owned laneway.

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

1. That the owner consider repurposing/donating/salvaging the garage door hardware;
2. Prior to demolition, the applicant shall photograph the interior of the garage as well as measure the exterior footprint, dimensions and roof pitch, and provide these photos and details to Heritage Planning staff for record purposes;
3. That an encroachment/temporary access permit be obtained, as necessary;
4. A Building Permit shall be obtained, as necessary;
5. 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; and
6. 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.

July 17, 2024

Page 3 of 8

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Jennifer Campbell,
Commissioner, Community
Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

July 17, 2024

Page 4 of 8

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

292 Johnson Street is located on the corner of Johnson and Barrie Streets, across from Ecole Cathedrale E.S (Exhibit A). The property consists of one half of a two-and-one-half storey double house with a mansard roof on an irregular lot that includes a one-and-a-half storey drive shed in the rear yard that is rapidly deteriorating (Exhibits C and D). While the property is a landmark in the District due to the impressive main building's location and design, the rear garage has no identified heritage value and supports the related principal dwellings and units (Exhibit B). A future heritage permit would be necessary to re-establish a building in the location.

Reasons for Designation/Cultural Heritage Value

The property is designated as a part of the Old Sydenham Heritage Area Heritage Conservation District by By-Law Number 2015-67. The property entry provides the following relevant information:

- Designed by a prominent Kingston architect, Robert Gage.
- The building is very well designed, exemplified by its fine brick work, symmetry, ornamentation on the cornice/frieze, full length verandah and stacked windows.
- The building “utilizes the Mansard roof and a generally 2nd Empire influenced stylistic sensibility in creating a notable corner house.”
- A brick ‘tail’ was added later and follows the unusual property line.
- “This major double house occupies an important urban corner as the 'gateway' into Old Sydenham Ward. The brick 'tail' of 292 Johnson remarkably accommodates the irregularity of the lot. The scale of the building with mansard roof and the lack of an abutting neighbour to the east further enhance its landmark status.”

While the property is classified as “Significant”, the drive shed is not mentioned.

The Property Inventory Evaluation has been included as Exhibit B.

Cultural Heritage Analysis**Applicable Local Policy/Guidelines**

The property is located within the Old Sydenham Heritage Area Conservation District (District). As such, property alterations are subject to the associated District Plan (the Plan). The property at 292 Johnson Street is in the “Beyond Bagot” Sub-Area, which includes the following relevant attributes: a wide range of building types/materials/ages, buildings associated with some of Kingston’s best architects, prominent buildings on street corners, irregular lots, and rear lanes with outbuildings. The Plan also provides specific guidance on the “demolition of heritage (contributing) properties” and notes that demolition is only permitted as a last resort and such properties can only be demolished “...for reasons of health and safety due to fire, natural disaster or other reasons.” Further, “the replacement structure shall be designed in conformity

July 17, 2024

Page 5 of 8

with the policies and guidelines of this District Plan.” When considering laneways the Plan notes that, when considering streetscapes and landscapes “[l]aneways are important heritage attributes of the [D]istrict and should be recognized as rights-of-way which may provide access to private rear yards, accessory structures and parking areas.”

Summary of Project Proposal and Impact Analysis

The subject property is an important landmark in the District as it contributes to a main gateway into the “Beyond Bagot” Sub-Area. However, the reason for its landmark status is due to the building’s location on a corner lot, being close to the front lot line as well as its architectural quality/design that is representative of Robert Gage’s work. While the Plan provides guidance on the “demolition of heritage (contributing) properties” and the drive shed is part of this property, this section specifically deals with heritage buildings, which the drive shed is not. As such, the demolition of this building is not prohibited by the Plan and will not negatively impact the property’s heritage value.

However, the drive shed is an outbuilding that acts as part of the laneway streetscape and contributes to the entrance to the rear lane that extends behind 292 Johnson Street between Barrie Street and Clergy Street East. As laneways are “important heritage attributes of the [D]istrict and...provide access to...accessory structures,” the drive shed’s form/function has an impact on the District. Currently, the laneway behind 292 Johnson Street predominantly contains outbuildings that are between one and one-and-a-half storeys, and many are located on/over/close to the edge of the laneway property line. However, there are some properties that abut the laneway with setback or no outbuildings so there is only a semi consistent streetwall. Based on the laneway’s existing built form, the removal of the building should not have a negative impact on the laneway, but any potential redevelopment that meaningfully exceeds the prevailing built form, significantly deviates from the existing location, or changes the Barrie Street facing orientation could impact the experience of walking through or passing by this laneway entrance. As such, if/when a new building is proposed on the subject property that may impact the laneway, a future approval under the *Ontario Heritage Act* will be required that conforms to the District Plan.

Previous Approvals

P18-010-2018 – Application of a protective silicone sealant on the metal, mansard roof and porch roof to match existing colour.

P18-014-2022DA – Repair/restoration of the roof and soffits/fascia, repainting both areas with Gaco silicone paint/coating, and like-for-like wood repairs/replacements.

Comments from Department and Agencies

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

July 17, 2024

Page 6 of 8

Engineering Services - No objections with the permit for demolition. All comments from Pre Application D00-025-2024 will apply for future development applications.

Applicant is to apply for an encroachment permit if any equipment or material is required to be located on City lands during demo. Contact transportation@cityofkingston.ca

Engineering Services – Noise Review - No objections with the permit for demolition. All comments from Pre Application D00-025-2024 will apply for future development applications.

Engineering Services – Storm Water Review - No ENG Stormwater concerns with Heritage application. All comments from Pre Application D00-025-2024 will apply for future development applications.

Utilities Kingston - Utilities Kingston has no concerns with the Heritage Permit Application.

Kingston Hydro - During demolition, the contractor is advised to proceed with caution when working in close proximity to the existing Bell Pole and anchor. The applicant should contact Bell for additional requirements when working near the pole.

Building Division - No comment was provided by the deadline. The applicant is encouraged to reach out to buildingpermits@cityofkingston.ca for information on building permit expectations.

Planning Services - Planning Services has no concerns with the proposal to demolish the rear garage/shed structure.

Consultation with Heritage Properties Committee

The Kingston Heritage Properties Committee was consulted on this application through the Development and Services Hub ([DASH](#)) system. Staff have received two sets of comments and one “no major objections” comment from circulated Committee members. The Committee’s comments have been compiled and attached as Exhibit E.

One member acknowledged the order to remedy that was served on the property and the building’s deteriorated state.

Another member also acknowledged the deteriorated state and suggested that the building’s footprint, dimensions and roof pitch are measured/recorded prior to demolition. They also recommended that the garage door hardware be salvaged and repurposed or donated. These considerations have been included as conditions of approval. Further, this same member noted that the recorded measurements be considered when proposing a future building in that area.

Both members noted that a new building must comply with the Plan and return to the Committee for further review once proposed.

July 17, 2024

Page 7 of 8

Conclusion

Staff recommends approval of the application File Number (P18-059-2024), subject to the conditions outlined herein, as there are no objections from a built heritage perspective, and no concerns have been raised by internal departments.

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

By-Law Number 2023-38 Procedural By-law for Heritage

Old Sydenham Heritage Area Heritage Conservation District Plan – Designating By-Law Number 2015-67

Notice Provisions:

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

Financial Considerations:

None

Contacts:

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

Joel Konrad, Manager, Heritage Planning, Heritage Services, 613-546-4291 extension 3256

Phillip Prell, Intermediate Planner, Heritage Services, 613-546-4291 extension 3219

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Mapping Information

Exhibit B Old Sydenham Heritage Area Heritage Conservation District Plan Entry

July 17, 2024

Page 8 of 8

- Exhibit C Applicant Photos/Description & Order to Remedy
- Exhibit D Site Visit Photos & Google 3D Image
- Exhibit E Correspondence Received from the Heritage Properties Committee
- Exhibit F Final Comments from Kingston Heritage Properties Committee – July 17, 2024

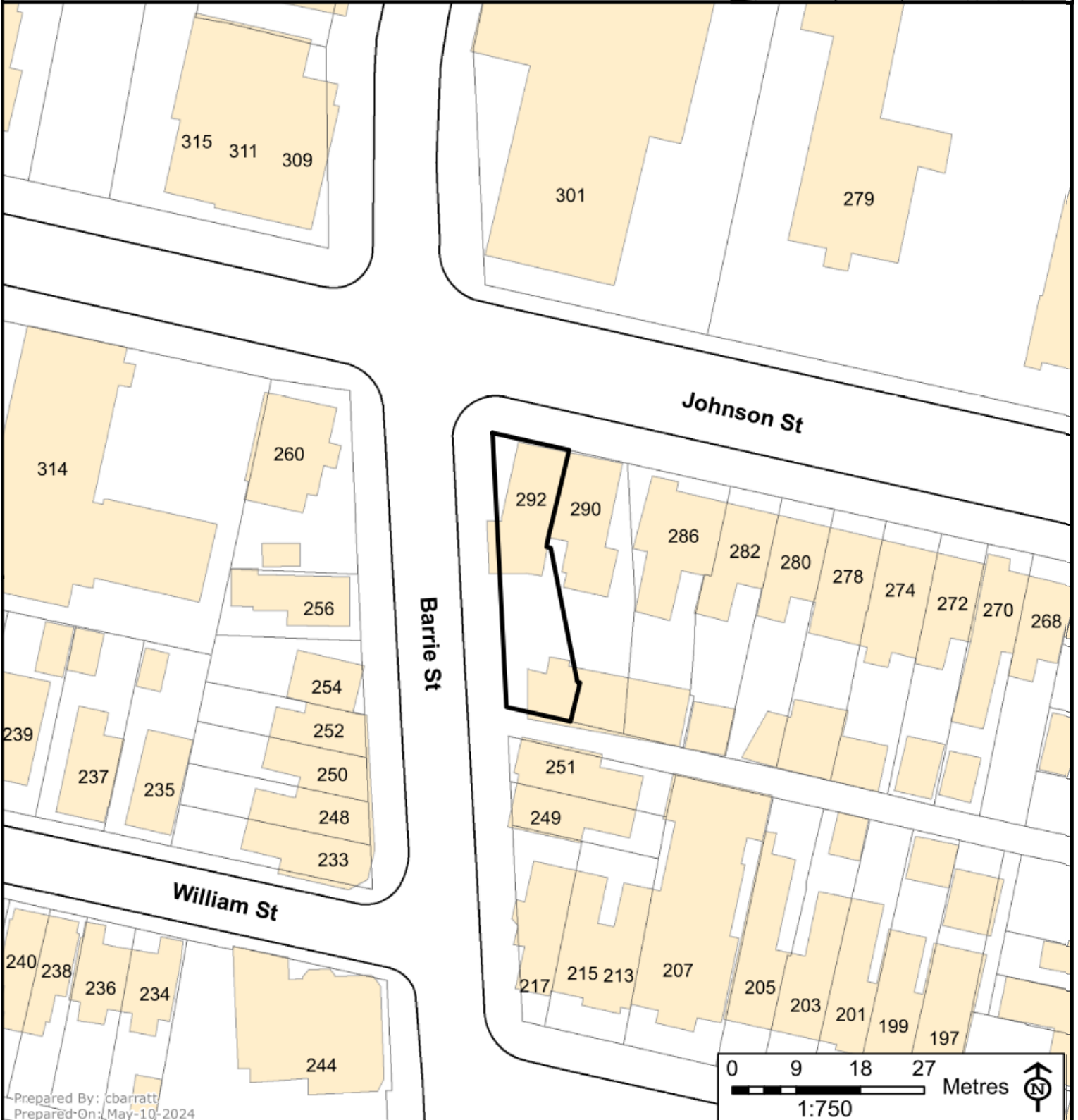
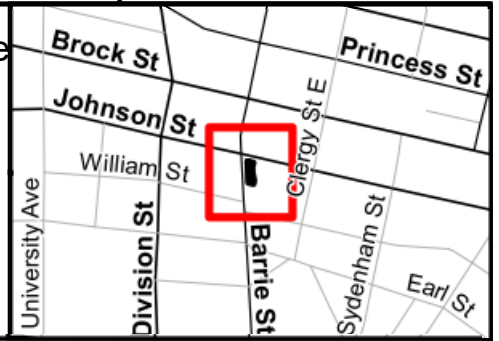


Kingston Heritage Properties Committee

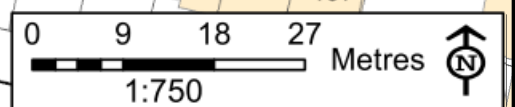
Key Map

Address: 292 Johnson Street
File Number: P18-059-2024
Prepared On: May-10-2024

Subject Lands



Prepared By: cbarratt
Prepared On: May-10-2024






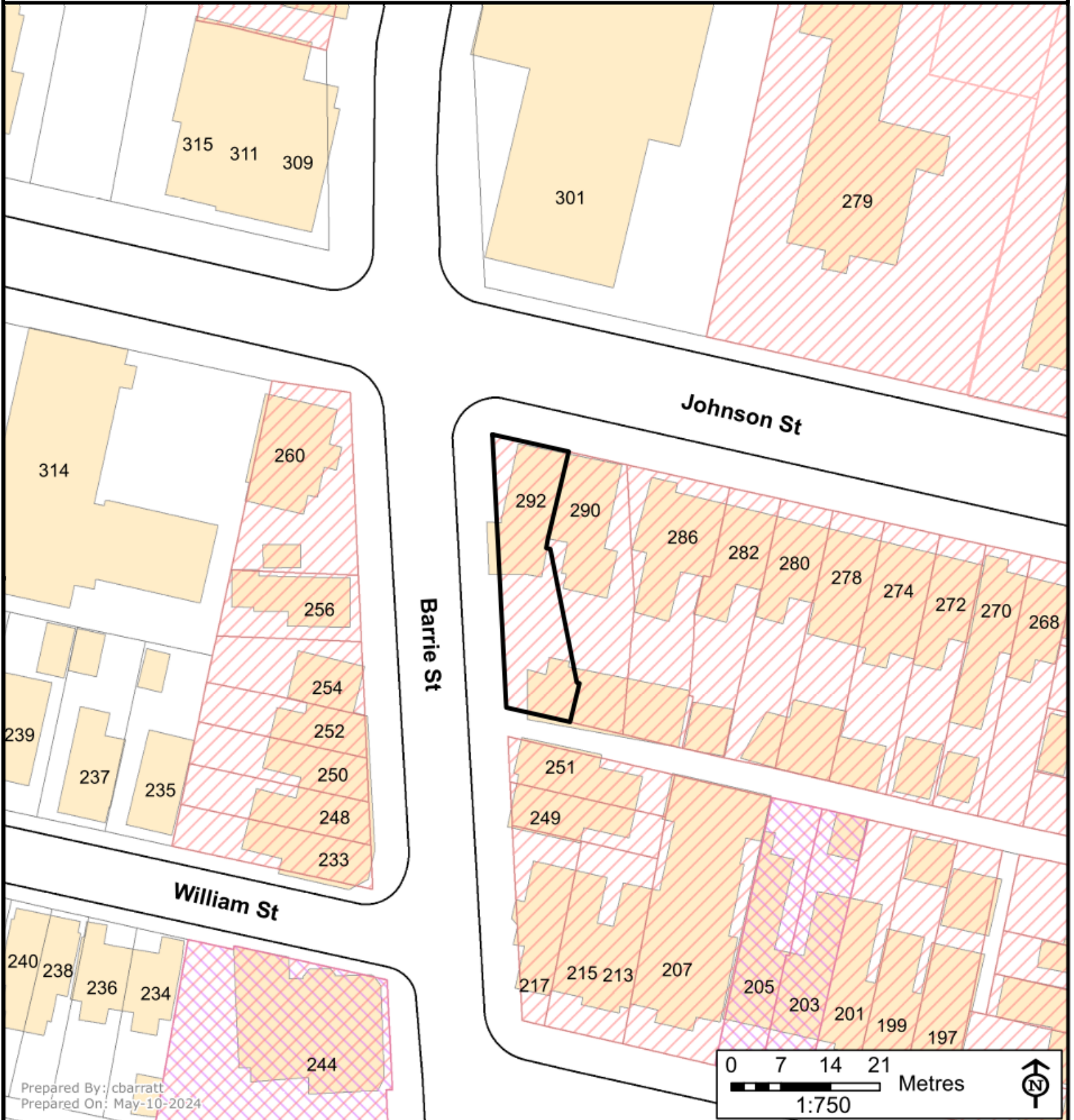
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Kingston Heritage Properties Committee
City of Kingston Heritage Register

Address: 292 Johnson Street
File Number: P18-059-2024
Prepared On: May-10-2024

-  Subject Lands (Old Sydenham Heritage Conservation District)
-  Designated Property
-  Easement



Prepared By: cbarratt
Prepared On: May-10-2024






Kingston Heritage Properties Committee

Neighbourhood Context

Address: 292 Johnson Street

File Number: P18-059-2024

Prepared On: May-10-2024

-  Subject Lands
-  Property Boundaries
-  Proposed Parcels



Prepared By: ebarratt
Prepared On: May-10-2024

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290-292 JOHNSON STREET**Built: S****Architect: Robert Gage****Rating: 1875**

Designed during one of Robert Gage's most productive periods, this structure, like the Mackenzie Building at RMC (1876), utilizes the Mansard roof and a generally 2nd Empire influenced stylistic sensibility in creating a notable corner house. Also particularly noteworthy, is Gage's use of arched blind niches at the façade and the chimney stacks to add relief and thus further visual interest.

The Mansard roof, still in the original batten seam metal, has a bell cast eave and dormers arranged to maintain the symmetry of the façade throughout its height. The dormers have the 'eyebrow' pediment roofs and scrolled brackets typical of the 2nd Empire style. Much ornamentation is focused at the cornice/ frieze which features a somewhat unusual combination of scrolled brackets and dentils with the brackets spaced also in a symmetrical manner. Window openings line up between storeys (paired except at the center) and are segmentally arched while the five blind arched niches extend full height and define the window bays. The quality of the brickwork walling is very fine as evidenced by the niche work. The entrances to each of the homes is through semi-circularly arched main entrances with each door having two arched lights above rectangular panels. The full length verandah is a significant feature with round columns, heavy balustrade and a turned newel and section of balustrade separating the two dwellings. The verandah still appears to retain its metal shingle roof with hip rolls. The 'windows' of the first storey, though double hung, extend to the verandah floor and were intended to provide access to the verandah from the main reception rooms.

The two chimney stacks at each side elevation are the key features of those elevations, 'standing proud' with the arched niches above the roof line as noted above. The foundation is of coursed ashlar limestone with a beveled cut stone water table, a feature of the side elevations but not visible at the facade, due to the verandah.

This property forms part of farm lot 25 granted by the crown to Michael Grass in 1798. Originally consisting of 100 acres the entire lot was sold to Henry Murney in 1809. His heirs sold three acres in 1839 to Charles Hales, a prominent merchant who developed the block which came to be known as Charles Hales Block, Kingston Heights, "Block W".

John Holmes purchased the lot in 1843. However by 1846 it had changed ownership twice and was then in the hands of James Morton. Still, possibly partly because of the difficult shape of the lot, it was not built on until 1875 when tenders were called by architect Robert Gage 'for two brick dwellings for A. Crawford on Johnson St.' This was followed just over a year later with a tender call to add and alter a house on Johnson and Barrie. Likely this latter initiative involved the construction of the brick 'tail' to 292 Johnson with its remarkable angle to follow the property line.

Gage, the noted late 19th century Kingston Architect, arrived in Canada from Ireland in 1852,⁵ and after an apprenticeship in carpentry with his future father in law William Irving, went on to design such Kingston area landmarks as the Education Building (now Mackenzie Building) and Hewitt House for the 'new' Royal Military College (1877). He was the architect as well for the 'palatial' Allison House, Adolphustown of that same year. His residential work is well represented on this block with 50 and 52 Clergy Streets. Gage's career is another example of a 19th century architect deeply rooted in the building trades.

This major double house occupies an important urban corner as the 'gateway' into Old Sydenham Ward. The brick 'tail' of 292 Johnson remarkably accommodates the irregularity of the lot. The scale of the building with mansard roof and the lack of an abutting neighbour to the east further enhance its landmark status.*

* Text from Bray, Scheinman, et al., *Old Sydenham Heritage Area Conservation Study: Cultural Heritage Resource Inventory and Evaluation Report*, 2009. Research by Jennifer McKendry.

292 Johnson St – Drive Shed Demolition Permit Request

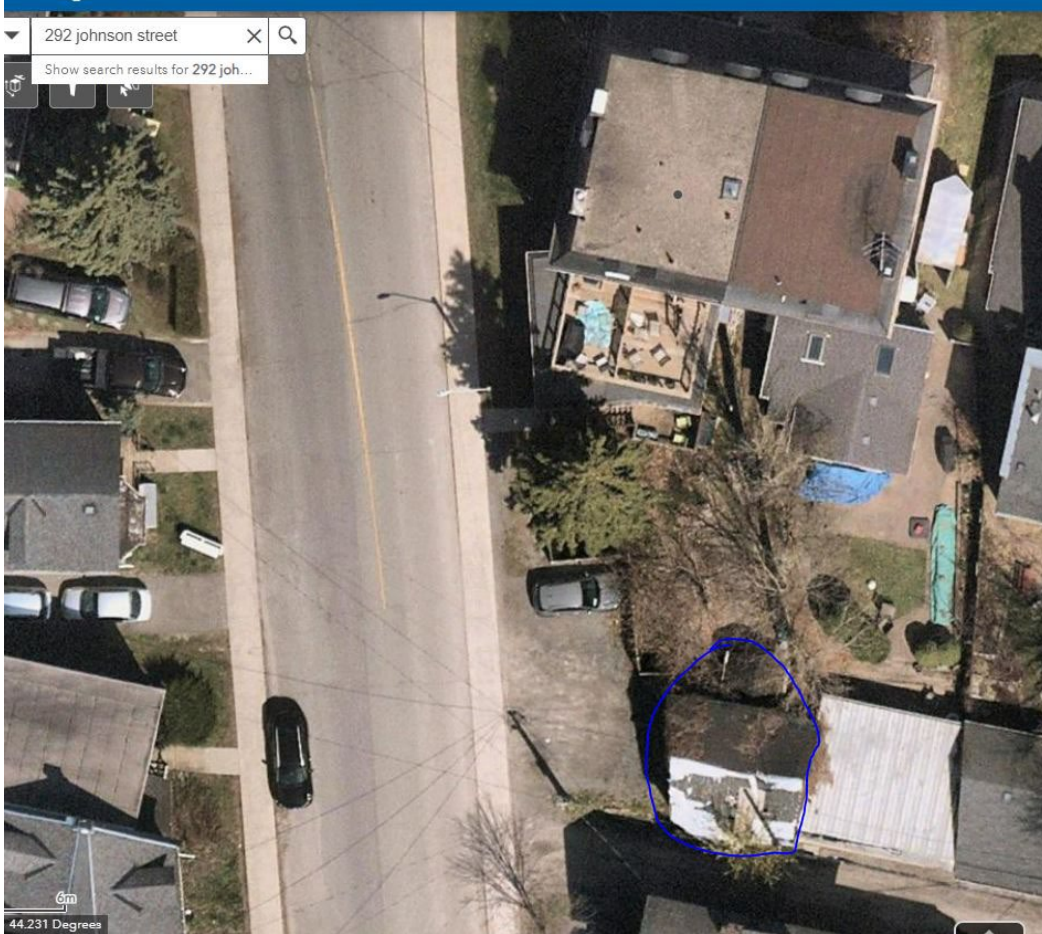


Figure 1- Aerial Site View – Blue circle represents the drive shed

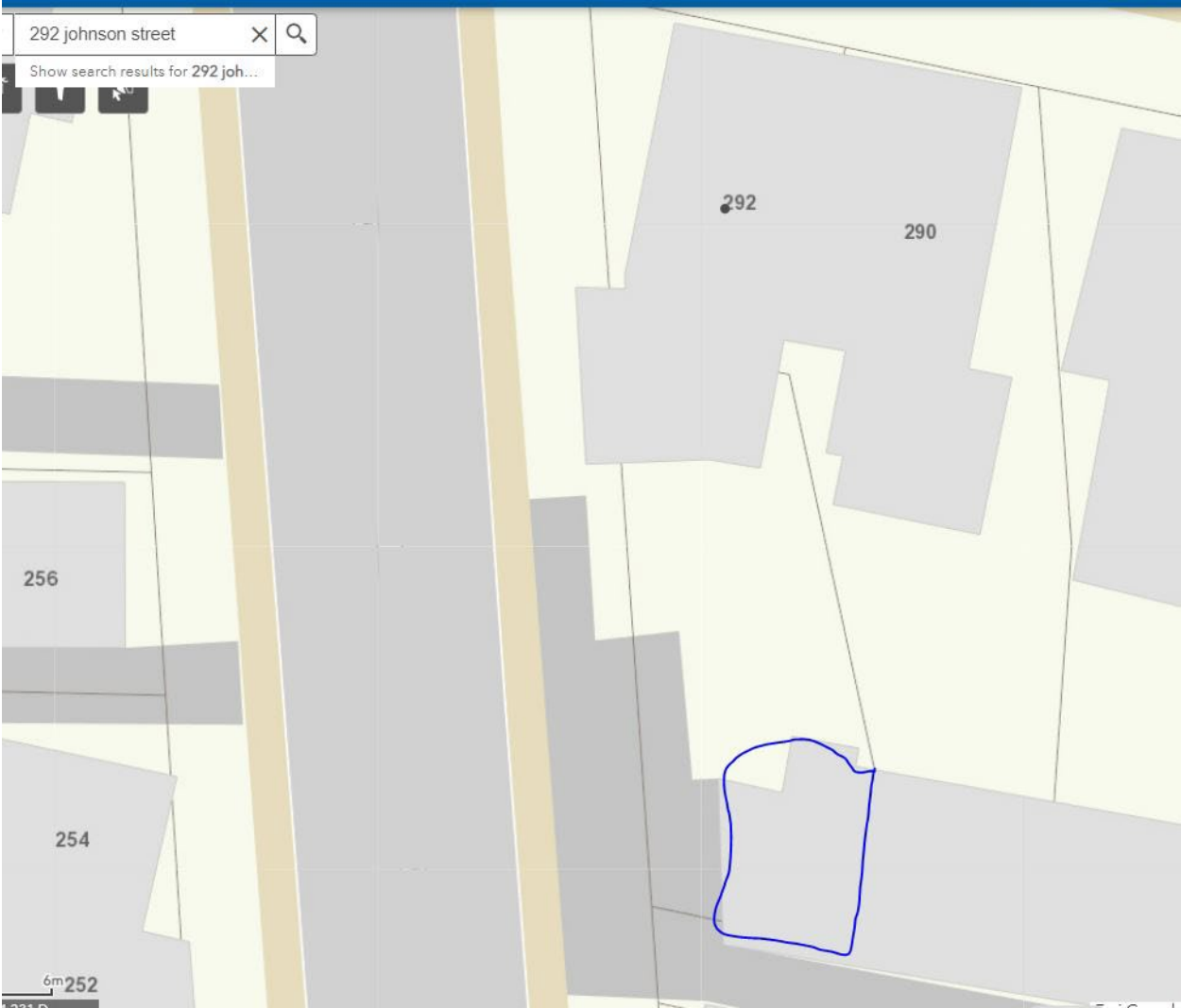


Figure 2 - Site Plan of 292 Johnson with Blue Circle Representing Drive Shed

Images of Current Structure

The sagging roof line in the North Elevation image is due to the failure of the main roof ridge beam and supporting structure. Engineering has indicated that the degree of degradation does not allow for the structure to be repaired.







**ORDER TO REMEDY
VIOLATION OF STANDARDS OF
MAINTENANCE AND OCCUPANCY
Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992, chapter 23, as amended**

**Exhibit C
Report Number HP-24-033**

City of Kingston
Building Section
216 Ontario Street
Kingston, ON K7L 2Z3
Located at 1211 John
Counter Boulevard

To: PARDY SARAH ELIZABETH
[Redacted]

Order Number: CEPS202402711
Location: 292 JOHNSON ST,
KINGSTON, ON K7L 1Y4
Inspection Date: APRIL 22, 2024
Roll Number: [Redacted]
Municipality: City of Kingston

Date: 23 Apr 2024

The above-described subject property has been inspected by a Property Standards Officer.

The inspection revealed that in some respects the property does not conform with the standards prescribed by the Municipal Property Standards By-law # 2005-100.

IT IS ORDERED THAT the repairs necessary to correct the deficiencies set out in Schedule 'A' be carried out and the property brought to a condition of compliance with the prescribed standards on or before June 10, 2024, unless further collapse occurs.

YOU ARE ADVISED THAT if you are not satisfied with the terms or conditions of this Order you may appeal to the Property Standards Committee by sending a Notice of Appeal by registered mail to the Secretary of the Committee on or before May 17, 2024. If the required remedial work is not completed by the specified time frame, a re-inspection fee of \$60.25 will be charged as per City of Kingston By-Law 2005-10. In the event that no appeal is taken, within the above prescribed period, the Order shall be deemed to be confirmed and shall be final and binding upon you, requiring you to comply with its terms within the time and in the manner specified in the Order.

Where it has been determined that the necessary repairs or demolition has not been completed in accordance with this Order as confirmed or modified, in addition to any possible court action, the municipality may cause the property to be repaired or demolished and the costs of such action may be registered as a lien on the land and shall be deemed to be municipal real property taxes and may be added by the clerk of the municipality to the collectors roll and collected in the same manner and with the same priorities as municipal real property taxes and will include an administration fee of \$141.40

Once the deficiencies have been corrected it is your responsibility to contact the Property Standards Officer to arrange a final inspection to avoid further legal proceedings.

Building & Enforcement Services

Location & Mailing Address: 216 Ontario Street Kingston, ON K7L 2Z3

c Phone: 613 546-4291, Ext. 3135 c Fax: 613 546-2916 c E-mail: BylawEnforcement@cityofkingston.ca



Exhibit C
Report Number HP-24-033

City of Kingston
Building Section
216 Ontario Street
Kingston, ON K7L 2Z3
Located at 1211 John
Counter Boulevard

**ORDER TO REMEDY
VIOLATION OF STANDARDS OF
MAINTENANCE AND OCCUPANCY**
Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992, chapter 23, as amended

Melinda Stewart Ext. 3264
Property Standards Officer

Building & Enforcement Services

Location & Mailing Address: 216 Ontario Street Kingston, ON K7L 2Z3

☎ Phone: 613 546-4291, Ext. 3135 ☎ Fax: 613 546-2916 ☎ E-mail: BylawEnforcement@cityofkingston.ca



**O R D E R TO REMEDY
VIOLATION OF STANDARDS OF
MAINTENANCE AND OCCUPANCY
Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992, chapter 23, as amended**

**Exhibit C
Report Number HP-24-033**

City of Kingston
Building Section
216 Ontario Street
Kingston, ON K7L 2Z3
Located at 1211 John
Counter Boulevard

SCHEDULE 'A'

The item(s) listed herein are in violation of the Municipal Property Standards By-law #2005-100

ITEM	By-Law 2005-100 Violation	SECTION
1.	4.35 Every part of a building, structure, pier or wharf shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight and any additional load to which it may be subjected through normal use.	PS.4.35
REQUIRED REPAIR(S)		
The roof on the accessory building located at the rear of the property is collapsing. Repair or demolish. A building permit is required for both repair or demolition. If repairing, an engineer's report will be required to ensure the structure is properly supported.		

FOR YOUR INFORMATION

All repairs and maintenance of property required by the standards prescribed by the By-law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.

Where a permit is required to undertake any repair required to conform to the standards as prescribed in this Order, it is the responsibility of the Owner to obtain any such permit through the Building Department prior to work being carried out. Plumbing repairs are to be carried out only by Plumbers licensed by the City of Kingston. Heritage Approval is required for all designated properties. All Electricians are required to be licensed with the Electrical Safety Authority.

Building & Enforcement Services

Location & Mailing Address: 216 Ontario Street Kingston, ON K7L 2Z3

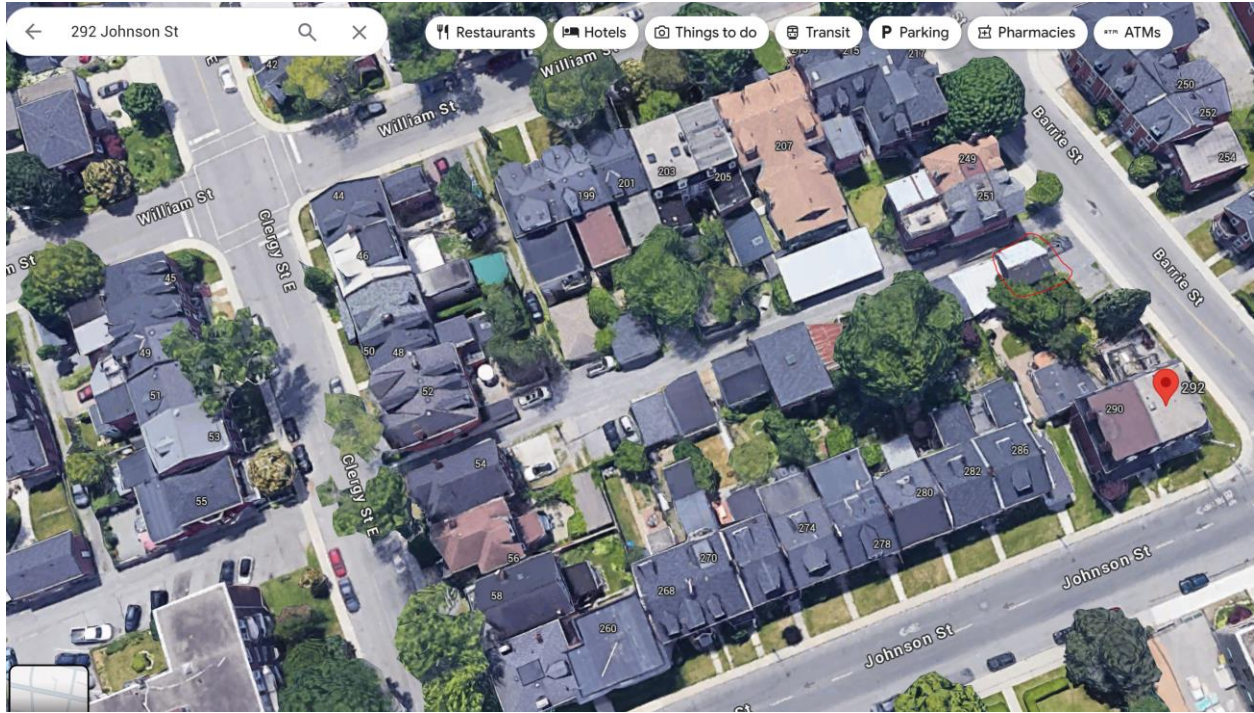
☎ Phone: 613 546-4291, Ext. 3135 ☎ Fax: 613 546-2916 ☎ E-mail: BylawEnforcement@cityofkingston.ca

Staff Site Visit 5-4-24:





Google Street View 3D View of Laneway:



Kingston Heritage Properties Committee

Summary of Input from Technical Review Process

P18-059-2024

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		
Ann Stevens	X		
Peter Gower		X	
Daniel Rose			X



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

Website: www.cityofkingston.ca

TTY: Dial 613-546-4889

where history and innovation thrive

Date:	May 21, 2024
Form:	Heritage Kingston Reviewer Form
Reviewer Name:	Ann Stevens
Application Type:	Heritage Permit
File Number:	P18-059-2024
Property Address:	292 Johnson Street

Description of Proposal:

Request to demolish a rear garage that abuts the laneway behind the property. While the property is a landmark in the District due to the impressive main building's location/design, the rear garage has no identified heritage value minus its contribution to the laneway scale of low-lying rear yard structures that support the related principal dwellings/units. A future heritage permit would be necessary to re-establish a new building in the location, which will be reviewed at that time for its impact on the District, the laneway and the property. Related to pre-application: D00-025-2024.

Comments for Consideration on the Application:

The rear garage has had property standards requirements to remove or repair shortcomings. But it is obvious the building is in a sorry state. At this point demolition seems to be the logical next step. A new building must comply with all municipal standards and regulations and will need to refer back to this committee when new plans are in development. I am always sad to see older buildings that decline to the point they require demolition. However, it does appear that the garage is not a heritage construction.

Recommended Conditions for the Application:

All required municipal regulations are met or exceeded. I would like to see the project returned to the committee for further review as plans evolve.



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

Website: www.cityofkingston.ca

TTY: Dial 613-546-4889

where history and innovation thrive

Date:	May 24, 2024
Form:	Heritage Kingston Reviewer Form
Reviewer Name:	Jane McFarlane
Application Type:	Heritage Permit
File Number:	P18-059-2024
Property Address:	292 Johnson Street

Description of Proposal:

Request to demolish a rear garage that abuts the laneway behind the property. While the property is a landmark in the District due to the impressive main building's location/design, the rear garage has no identified heritage value minus its contribution to the laneway scale of low-lying rear yard structures that support the related principal dwellings/units. A future heritage permit would be necessary to re-establish a new building in the location, which will be reviewed at that time for its impact on the District, the laneway and the property. Related to pre-application: D00-025-2024.

Comments for Consideration on the Application:

It seems that this garage/drive shed has been allowed to deteriorate to the point that demolition is necessary. It is suggested that, along with measuring the footprint of the existing building, a record of dimensions, including roof pitch, be taken before demolition and that these measurements are considered when designing the proposed ADU to assist in preserving the sense of lane way garages and outbuildings in the District. Looking at the photos it is also suggested that saving and repurposing or donating the door hardware on the west elevation should be considered.

Recommended Conditions for the Application:

The design of the proposed ADU should be compatible with the District Plan and brought to KHPC for approval.

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

The Committee did not provide comment.