

FRONTENAC HERITAGE FOUNDATION
Minutes of the 47th Annual General Meeting
Tuesday, May 28, 2019
193 Ontario Street, RCHA Building – 2nd Floor

Present: Shirley Bailey (President), Edward Grenda (Secretary), Malcolm Norwood, Karen Pagratis, Ron Tasker.

Regrets: Gus Panageotopoulos (Vice President), Paul Allison, Paul Christianson, Floyd Patterson

Staff: Penny Sharman

Also Present: See attached sign in sheet

1. WELCOME AND INTRODUCTIONS

The President welcomed those present and introduced the members of the board.

2. MINUTES OF THE 46TH ANNUAL GENERAL MEETING

Moved by: Edward Grenda Seconded by: John Grenville

THAT the minutes of the 46th Annual General Meeting of the Frontenac Heritage Foundation held on June 6, 2018 be approved.

Carried

3. PRESIDENT'S REPORT

2018 was the year of the Capitol hearing and preparing for the Homestead hearing of the Local Planning Appeal Tribunal.

Capitol Development Proposal:

The ten-day hearing on the Capitol development project proposed at 223 Princess Street started on March 26, 2018. The application was opposed by the Foundation and Annette Burfoot, Sammi King and Vicki Schomolka. Donnelly Law acted as our lawyer, and four witnesses called by our side: Dennis Jacobs, land use planner, David Cuming, heritage planner, Anne McIlroy, urban designer, and Bruce Downey, architect. The participants' statements were organized, fundraising options were reviewed, and organized. Silent auctions at events in 2017 were organized, and direct requests for donation happened through 2017 and 2018. Members were very generous with their time and money, and many took part as participants at the hearing. Lawyer David Donnelly said in his closing remarks that it was the first time that two former mayors spoke out against the project.

The Foundation's board felt it was critical to protect the longstanding heritage-zoned area in the city core. The Chair, David Lanthier, took detailed notes, and asked many pertinent questions throughout the hearing.

On November 9, 2018, the Local Planning Appeal Tribunal (LPAT) rendered a detailed decision which was a resounding 'No' to the proposed project. The 69-page decision was articulate and well thought out. One of the many statements was that the proposal with height in excess of the as-of-right zoning would fundamentally change the downtown.

Soon after the LPAT decision was released, the developer informed our lawyer that they planned to contest the decision based on two sections of the LPAT Act. In one, they argue that there is an error in law, and in the second, they ask the Tribunal to set aside its decision; in both cases, if the decision goes against the parties, it means a new hearing would need to be heard. To respond to these involved the preparation of detailed affidavits. On May 2, 2019, our lawyer presented our case to the Superior Court in Ottawa. No decision has been made as of the date of the preparation of this report.

The Foundation endorsed the allocation of \$5,000 each year for three years to fight the Capitol project. The other three appellants did extensive fundraising to raise their share of the costs of the hearing, which exceeded \$100,000.

Homestead Holdings Development Proposal:

The Homestead Holdings development proposal went through a complicated process which involved three iterations of the development proposal:

1. In November 2015 submission for two twenty storey buildings, with a total of 380 units, and one building would have a four storey podium and the second would have a 7 storey podium. There was a public meeting in February 2016 where many people opposed the development. The Foundation objected as well.
2. In May 2017 a revised submission was submitted for a 17 and 19 storey development, each with a five storey podium, with a total of 400 units. Shortly after, Homestead appealed to the LPAT because the city had not processed the application within the time limits set out in the Planning Act. A second non-statutory public meeting was held in August 2017 where community benefits were discussed.
3. In November 2017, the first pre-hearing was held. Three groups asked to be parties to the hearing, including the Liquor Control Board, the Frontenac Heritage Foundation, and Building Kingston's Future (Burfoot, King & Schmolka).
4. In December 2017, the City held an In-camera session to discuss the matter, and an Information Report followed. It appeared at the time that the matter would go to a hearing based on the 17 and 19 storey development proposal.
5. In January 2018, the City brought the former planner for Vancouver, Brent Toderian to talk to Council in a town hall meeting about tall buildings in Kingston.
6. In February 2018, a second pre-hearing was held, and the issues by the objectors were finalized.
7. In August 2018, another In-camera discussion was held, and Council voted 9-4 to support the development. No other information was reported out.
8. On September 4, 2018 Minutes of Settlement were signed by city officials and Homestead.

9. On September 18, 2018, an Information Report by staff was provided to Council, in which it was indicated that the Minutes of Settlement would be provided to the parties involved in the appeal and to the public via the City Clerk. The report supported a 19 storey development with a five storey podium, and a 23 storey development with a 5 and 7 storey podium. A total of 348 units were proposed. A community benefit of \$300,000 was to go towards the lease on a 241 sq m space to be used as a municipal art gallery.

This is all background to the September 25, 2018 board meeting when the FHF board met to discuss the matter. The Tribunal had been informed that Building Kingston's Future intended to withdraw as a party, and at the time the LCBO was continuing as a party. Donnelly Law had offered their services for a capped fee of \$42,500 to act as our legal counsel. Given our experience on the Capitol project, the FHF board knew that the total cost for the hearing would be approximately \$100,000; it was acknowledged that the Foundation's savings would be depleted in order to take on this appeal, and motions were passed accordingly to support the appeal.

Four key objections were:

- The development application was contrary to S. 10A of the Official Plan
- The development application contravened provisions of the Official Plan with respect to community benefits
- The development application was premature in approved two towers in advance of Tall Building Guidelines being enacted, and
- The Foundation had concerns about approving a major development application during a lame duck period leading up to the municipal election.

After the vote by the FHF board, work started in earnest to retain land use planning, heritage, urban design and architectural experts. This effort continued in preparation of the hearing, which was scheduled for ten days, starting on February 4, 2019.

Other highlights for 2018 include the following:

- Completion of one City of Kingston Heritage Grant application for Dorothy Farr's book, House Beautiful, a wonderful book about terracotta tiles across in the city
- A Commemoration Committee met several times to discuss how donations should be used to honour the lives of important individuals, and also to develop a plaque to honour the 175th birthday of St. Mark's Church in Barriefield, the 2017 dry stone wall reconstruction project, and the Foundation's 45th birthday
- Signing another CKHF project grant application to help support a one-day workshop called "Re-imagining Places of Faith" to be held at the Spire
- Monitoring major development applications and other planning studies across the Kingston region which are underway
- In terms of major expenditures, the Board endorsed a donation of \$5,000 each year for three years to fight the Capitol development project

- Penny Sharman, our Executive Director has proven to be a wonderfully supportive staff person for the Foundation.
- Gillian Moss has continued in her role as accountant for the Foundation, and we are very grateful for her assistance.
- We continue to be active on social media with a public Facebook page, a twitter account and an Instagram account
- I want to acknowledge the ongoing support by Helen Finley, Edward Grenda and Don Taylor in their volunteer work over several years on the Heritage Properties Working Group. This group researches information on properties, and this material is advanced to the Heritage Kingston Committee.
- I wish to acknowledge the work of Peter Gower, a member of the Foundation, who is currently Chair of the Heritage Kingston (municipal heritage) Committee.
- Lastly, on behalf of the board, thank you to our members who have supported the two hearings, the many events that are scheduled through the year, and the various issues that have arisen during the time frame.

Moved by: Malcolm Norwood

Seconded by: John Grenville

THAT the President's report be approved

Carried

4. COMMITTEE REPORTS

Foundations – Floyd Patterson

Foundations is sent to you, to Thank You for maintaining your support of Frontenac Heritage Foundation, and to recognize the interest you take in wanting to expand your knowledge about the places we call home, and the special feeling of the neighbourhoods that has created. Articles in Foundations often revisit the historic character, architecture, and beautification that make neighbourhoods special. The entire demographic variety of a region offers an array of neighbourhoods and cultural differences that make entertaining reading both about urban and rural interest. Historic individuals, events, nation founding, notable world affairs and attacks on freedom and human rights, and triumphant change in the local community and in private endeavour all may contribute to the appeal of FOUNDATIONS.

Membership-Shirley Bailey

We continue to grow. Because of the campaign in 2017 to generate donations for the OMB appeal on the Capitol Development project, we welcomed several new members. We have worked hard to keep our membership informed and engaged with regular updates along with adopting a Communications Strategy to increase our profile in the community, particularly on social media. We believe it paid off since the majority of those new members, along with most of our long standing members, renewed their membership for 2018.

We have also been actively recruiting new members with the distribution of our new Membership pamphlet, becoming a corporate sponsor for the Seniors Association Kingston Region and word of mouth.

We now have 150 members on our membership list and 100 of those have renewed for 2019.

Property Report – Ron Tasker

Leases were renewed early in the year, and board members arranged discussions with property management firms to determine if a firm could be retained. Frontenac Property Management agreed to take on the building subject to a number of criteria being met, which the board proceeded to do (roof repair, separation of utilities between 66 and 68 Brock) Over the course of the year, repairs were undertaken, including new air conditioning for 68 Brock and a roof repair for 64 Brock).

Efforts were ongoing to gather quotes and have installed new air conditioning for 62 Brock. Also, the City conducted a program dealing with backflow preventers on drinking water supplies. The surveys were completed which recommended installation of these cross-connection control valves (backflow preventers), and now the commercial units comply with the relevant city by-law.

Concerns were expressed about the sad condition of the façade of our building and this needs to be remedied.

Coalition of Kingston Communities-Karen Pagratis

The Frontenac Heritage Foundation has been a participating associate with the Coalition of Kingston Communities since the Coalition's inception some four years ago. The Coalition is an umbrella organization of community groups, dedicated to improving the processes of civic engagement, and accountability of City Council and City Staff, in order to further the wellbeing of Kingston. All residents of Kingston are welcome to participate in Coalition meetings. I have acted as liaison as a Board member of the FHF and the Coalition where I have also sat as Co-chair for the past two years.

Since November 2015, the Coalition has been a 'clearing house' of concerns on process issues, enabling community groups to exchange information and keep each other informed. It has produced a Planning Brief and commented on the City's progress on issues of transparency and accountability, made several delegations to Council and the Planning Committee on matters of process, have met with the Mayor, and appeared in the media. It is important to note that the Coalition has been very supportive of the FHF in our mandate to preserve built heritage, with several Coalition members speaking as parties to both last year's OMB and this year's LPAT hearings on the proposed buildings on Princess St. and Queen St.

This past year has been a particularly busy one for the Coalition due to its interest in and involvement with the municipal election. In April of 2018 the Coalition sponsored a meeting with special guest, political scientist Jonathan Rose, on the theme, "Do Municipal Elections Matter?" From September to October it organized 13 public All Candidates Meetings across the city prior to the municipal election. Over 1000 people and 33 candidates attended. Coalition Board members paid for the sound equipment and rental of venues out of our own pockets and then managed to be

reimbursed by "passing the hat" at these meetings. It was a massive and very successful undertaking.

After the municipal election, in November of 2018, the Coalition held a public meeting featuring two former Ottawa councillors, entitled "Keeping the City Accountable". This was followed over the next few months by a series of individual meetings with each of the newly elected councillors, including the mayor, and Coalition Board members. The purpose of these meetings was both to enlighten and establish open communications.

There is a clear alignment of interests between built heritage and those of pursuing open and accountable municipal transactions. The Coalition continues to meet, both as a Board and in public meetings to further its goals of municipal transparency within our community.

Watch Committee – Shirley Bailey

A number of individual properties were monitored for activity over the year, including:

- 488 Division Street where a log outbuilding was removed illegally
- the chimney at the Pump House Steam Museum was in need of repointing
- the house on the northeast corner of Johnson and Bagot Streets, which was just outside the Old Sydenham Heritage District, and was not listed or designated was in very poor condition and was reported to the City
- 9 North Street appeared to be under construction or renovation
- Frankie Pestos building at 167 Ontario Street showed deterioration in its pointing on the foundation

Monitoring of a number of ongoing development applications continued throughout the year, including a development application for the Tannery Site, a development on the Rideau Marina site, and a development for a 20-storey development at 55 Ontario Street (Marine Museum). Comments were provided on the IN8 Williamsville project to the effect that the Carnovsky Bakery should be protected. Comments were also provided on the North King's Town Secondary Plan during the year. Comments were also provided on the City's Official Plan update. The Wolfe Island and Ferry Dock Improvement Environmental Assessment was reviewed, and comments objecting to the demolition of the Lily Inglis-designed ferry terminal. No information was received about the Outer Station proposal to move the station to another location.

A tour for the Board was organized of the Thomas Burrowes house, which was on the market at the time, and deserving of heritage protection. Subsequent meetings were held with Parks Canada regarding possible federal designation of the property.

In Loyalist Township, 58 properties were reviewed for possible listing on the municipal register, and about half of the owners asked to have their properties removed from the list. The Jephtha Hawley house was a notable property which was recommended for listing under the heritage legislation. In May 2018, the budget for heritage staff was increased, and Township Council was commended for that commitment. Board members also monitored the ongoing situation with the Layer Cake Hall, a case which has been before the courts for two years.

In the Town of Gananoque, the Blinkbonnie Inn was delisted. It was reported the Macdonald-Stone Foundation had given up its effort to save the building after the Gananoque Council refused to designate the building. (Heritage designation would protect it from demolition.) The board monitored the controversy about the proposed addition to the Town Hall.

Awards-Paul Christianson

Since 1982, the Frontenac Heritage Foundation (FHF) has been actively encouraging the preservation and retention of our local built structures by providing heritage conservation awards to owners, designers and builders. Many significant buildings and some lesser-known projects within the boundaries of Kingston, the County of Frontenac, Loyalist Township, Gananoque, and Leeds and the Thousand Islands Township have been recognized in this fashion over the past 36 years.

Each year, aided by interested FHF members, the Awards Committee reviews nominated restorations, renovations and repairs to heritage sites with the intent of identifying those that it considers worthy of recognition. "Certificates of Commendation" are prepared and presented to the property owners or initiators who are primarily responsible for the concept, implementation and financing of the conservation effort. "Certificates of Appreciation" are presented to those designers, consultants, and builders who have applied their time and skills in conserving the selected buildings.

The Committee considers a variety of criteria including architectural design and the physical value of a structure; whether it is a rare or unique example of a style or type of construction; and whether it exhibits a high degree of craftsmanship. Associations with historical events and people are considered, as are the contextual value of the structure and its contribution to defining, maintaining or supporting the historic character of an area. At the end of this brochure, we include the names and contact information for those designers, consultants, and builders awarded tonight.

We thank members of the municipal heritage committees in these communities for their dedicated work in helping to conserve built heritage. They have often shared expert information and valuable ideas about sympathetic repairs.

Margaret Angus Award for Heritage Conservation

The ethic of heritage conservation now shared in the greater Kingston area sprang largely out of the work undertaken by Dr. Margaret Sharp Angus on behalf of the heritage movement over a period of more than six decades. An unparalleled champion of history and culture, she spearheaded countless architectural heritage initiatives, began the heritage clothing collection at the Agnes Etherington Art Centre and documented exhaustively local heritage.

The Margaret Angus Award for heritage conservation was created to recognize these outstanding accomplishments. It also serves to commend local citizens who maintain

pride in our heritage in a manner that she wished to instill. Dr. Angus was the first recipient of this award, which was presented on December 9, 2007. Dr. Angus passed away on February 15, 2008.

Margaret Angus Award Recipient for 2018

R. Bruce Downey

Bruce Downey has long practiced as an architect with a strong interest in heritage structures and as a volunteer in Kingston. After receiving his Bachelor of Architecture from Carleton University in 1976, he traveled extensively on bicycle through Europe from Britain to Greece, deepening his understanding of the roots of Canadian heritage buildings. After practicing on his own for two years, he served as a partner in Inglis & Downey Architects Incorporated in 1983-2003 and in Hughes Downey Architects from 2003 to the present. As part of his professional accreditation, he is a member and fellow of the Royal Architectural Institute of Canada, a member of the Ontario Association of Architects, and a member of the St. Lawrence Valley Society of Architects.

Bruce Downey has worked on a variety of buildings and places—old and new, public, private, and commercial. He has created a lasting legacy in Kingston, receiving many awards for the conservation of heritage buildings. These include awards for the “Renovation and Adaptive Reuse of Buildings” in the mid-1980s with Lilly Inglis, including the transformation of 24 Sydenham Street into the Hochelaga Inn and of 22 William Street into the Frontenac Club Daycare, and awards for “Design Excellence” for the conservation of 1695 Collegeway, Mississauga, ON, and its conversion into the Glen Erin Inn. They continue on to recent years, when the Frontenac Heritage Foundation has given Bruce the following seven Certificates of Appreciation as the architect on projects: 364 College Street, Kingston in 2003; the Hotel Dieu Hospital Old Front Entrance Restoration, Kingston in 2005; four townhouses at 232, 234, 236, and 238 Rideau Street, Kingston in 2006; the Prince George Hotel, Kingston in 2009; both 2493 Highway 2, the McIntyre-McFadden House, and 82-84 Brock Street, Kingston in 2013; and 85 King Street East, Kingston in 2018. He has also received Livable City Design Awards from the City of Kingston for the Springer Market Square in 2011 and the McIntyre-McFadden House in 2014. Bruce’s work over the years shows a commendable respect for a wide variety of styles and materials of heritage architecture and the professional skill needed to conserve the work and the spirit of the past while fitting old buildings to the needs of the present day.

In addition, Bruce has graciously volunteered his expertise and experience as an architect to the public in a wide variety of settings. From 1983-89, he served on the Cause Committee of the OAA, sometimes as Chair and also as a member, to carry out nine studies across Ontario for the cities of Bradford, Brampton, Elliot Lake, Greeley, Lakefield, Niagara Falls, Oshawa, Parry Sound, and Weston. For over ten years, he acted as an advisor and instructor for the Construction Internship Programme of the Limestone District School Board, helping High School students understand the development of residential design

and construction. For over thirty years, he has served on the Kingston Local Architecture Conservation Advisory Committee and its successor, the Kingston Heritage Committee as an active Committee Member and as the Vice-Chair.

As a working architect with a strong knowledge of styles, construction, and materials, he has helped to improve many submissions for work on heritage buildings in innumerable ways. As an inveterate volunteer, Bruce received an Achievement Award for Volunteer Excellence from the Province of Ontario in 2005.

The Frontenac Heritage Foundation is proud to recognize the contributions of R. Bruce Downey by presenting him with the Margaret Angus Award for a lifetime of outstanding achievement in support of heritage.

Heritage Award

Recipients Frontenac

Heritage Foundation

85 King Street East, Kingston	
	Certificates of Commendation
Owner	Stephen Sorensen
	Certificates of Appreciation
Architect	Bruce Downey Hughes Downey Architects 230 Rideau Street Kingston, ON K7K 3A4 (613) 544-9183 bruce@hughesdowney.ca
Contractor	Mark Peabody, Custom Builder (613) 547-6876 peabody@kingston.net
Roofing	Roof Tile Management
Stonework	
Woodwork	

St. Mark's Anglican Church	
	Certificate of Commendation
Owner	St Mark's Anglican Church 268 Main Street Kingston, ON K7K 6W4 (613) 548-3386
	Certificates of Appreciation

Consultants on Masonry Repairs	WSP Canada Group
Stonework	A. Santin, Masonry Contractor 1159 Clyde Court Kingston, ON K7P 2E4 (613) 389-3583
Funding Grants	Pittsburg Community Benefit Fund

77-79 Gore Street

	Certificate of Commendation
Owner	BPE Development 141 Hickson Avenue Kingston, ON K7K 2N7 (613) 507-9090 info@thesanctuarykingston.ca
	Certificates of Appreciation
Architects	
Contractor	

The Spire: Sydenham United Church

	Certificate of Commendation
Owner	The Spire: Sydenham United Church Sydenham Street Kingston, ON
	Certificates of Appreciation
Architect	Bruce Downey, Hughes Downey Architects 230 Rideau Street Kingston, ON K7K 3A4 (613) 544-9183 bruce@hughesdowney.ca
Contractor	The Anglin Group

Moved by: Helen Finley Seconded by: Sue Bazley

THAT the FHF 2017-2018 Committee Reports be approved.

5. NOMINATIONS COMMITTEE

The Nominations Committee is comprised of Edward Grenda, Malcolm Norwood and Karen Pagratis.

In accordance with the Foundation's constitution, members of the Board of Directors "shall be elected by members at the annual meeting of the Corporation." Terms of

office "shall be for three years" and upon completing his or her term each "shall be eligible for re-election."

The By-Laws of the Foundation further provide that "the Board shall have the power to fill any vacancy in office occurring between annual meetings of the Corporation."

The Frontenac Heritage Foundation maintains a staggered series of terms for members of the Board of Directors, with the status being as follows:

TERMS ENDING IN 2019:

Ron Tasker
Paul Christianson
Karen Pagratis
Shirley Bailey

TERMS ENDING IN 2021:

Edward Grenda
Floyd Patterson
Paul Allison

TERMS ENDING IN 2020:

Malcolm Norwood
Gus Panageotopoulos

Appointed Since the 2018 AGM:

N/A

All members of the current Board have indicated a willingness to continue to serve, except for Paul Christianson, who, regrettably, will be stepping down at the end of his term.

The Nomination Committee recommends the following candidates for election and re-election: Shirley Bailey, Karen Pagratis, and Ron Tasker.

Our by-laws provide that the Board may be composed of up to twelve (12) Directors. There are currently 5 returning Board Members, and 3 proposed for re-election. We would welcome additional nominations from the floor at this year's AGM.

Moved by: Malcolm Norwood

Seconded by: Don Taylor

THAT renewal of terms for Ron Tasker, Karen Pagratis and Shirley Bailey be approved

6. TREASURER'S REPORT

The President, who is also acting as Interim Treasurer, explained that audited financial statements were not available and therefore would have to be approved at a later date. At this time, she requested approval for the Treasurer's report.

Moved by: Ron Tasker

Seconded by: Peter Gower

THAT the Treasurer's report be approved.

Carried

7. APPROVAL OF ALL ACTION, APPOINTMENTS & MOTIONS

Moved by: John Grenville

Seconded by: Robert Cardwell

THAT all actions, appointments and motions by the Frontenac Heritage Foundation Board of Directors since the previous Annual General Meeting held on June 6, 2018 be approved

Carried

8. OTHER BUSINESS

David Shurtleff advised that it has been the practice to pass a motion at the AGM to appoint an auditor for the upcoming year. The President explained that the board had not had an opportunity to discuss which audit firm would be appointed. Therefore, a motion was passed giving the board authority to appoint an auditor.

Moved by: David Shurtleff

Seconded by: Edward Grenda

THAT the board be authorized to appoint an auditor for the upcoming year.

Carried

9. ADJOURNMENT

The business portion of the meeting was adjourned at 7:30