



**City of Kingston
Report to Heritage Properties Committee
Report Number HP-26-003**

To: Chair and Members of Heritage Properties Committee
From: Jennifer Campbell, Commissioner, Community Services
Resource Staff: Kevin Gibbs, Director, Heritage Services
Date of Meeting: February 18, 2026
Subject: Application for Ontario Heritage Act Approval
Address: 74 Lower Union Street (P18-1118)
File Number: P18-085-2025

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

The subject property at 74 Lower Union Street is located on the south side of Lower Union Street, midblock between Wellington Street and King Street East. The property is designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District.

An application under Section 42 of the *Ontario Heritage Act* (File Number P18-085-2025) has been submitted to request approval to construct a rear-facing shed dormer. Detailed plans have been included with the submission.

This application was deemed complete on January 19, 2026. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 42(4). This timeframe will expire on April 19, 2026.

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

Recommendation:

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

That the application at 74 Lower Union Street, be approved in accordance with the details described in the application (File Number P18-085-2025), which was deemed complete on January 19, 2026, with said application to include the construction of a rear-facing shed dormer; and

That the approval of the application be subject to the conditions outlined in Exhibit A to Report Number HP-26-003.

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

The subject property at 74 Lower Union Street is located on the south side of Lower Union Street, midblock between Wellington Street and King Street East (Exhibit B – Context Maps). The property is designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District (Exhibit C – Property Inventory Evaluation).

An application under Section 42 of the *Ontario Heritage Act* (File Number P18-085-2025) has been submitted to request approval to construct a rear-facing shed dormer. The dormer will flank an existing second floor addition and will be no taller than the ridge of the dwelling. The dormer will be clad in metal roofing and wood clapboard siding to match the dwelling and current additions. The proposed windows are to be wooden, clad in aluminum, with wooden trim and surrounds.

Detailed plans, prepared by Mark Peabody Custom Builder, are included with the application and are attached as Exhibit D – Concept Plans. This application was deemed complete on January 19, 2026. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application under Section 42(4). This timeframe will expire on April 19, 2026.

The submission materials in their entirety are available online through the Development and Services Hub (DASH) at the following link, [DASH](#), using “Look-up a Specific Address.” If there are multiple addresses, search one address at a time. Submission materials may also be found by searching the file number.

Reasons for Designation/Cultural Heritage Value

The subject property is included within the boundary of the Old Sydenham Heritage Conservation District (HCD) designated under Part V of the *Ontario Heritage Act* in 2015. As per the Property Inventory Evaluation (Exhibit C), this property is noted as “Significant” to the District. The building was built between 1829 and 1850. The Inventory notes the following:

“The exterior of this building’s facade has been clad in materials which are not of heritage value. However, its northeast elevation retains its original rubble stone composition. Two original chimneys also exist at the apex of the gable roof. ... The present building reflects the simple, box-like designs of many early buildings in the Old Sydenham Heritage District.”

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

The subject property is a contributing and important property of the streetscape along this portion of Lower Union Street. Its cultural heritage value is recognized as part of the Old Sydenham Heritage Conservation District (HCD).

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Staff visited the subject property on January 14, 2026. This application includes a proposal to alter the existing dwelling to increase the usable living space (bedroom and office) for the owners with the addition of a rear-facing dormer. The assessment of this application is summarized below through references to the relevant sections of the Old Sydenham Heritage Area HCD Plan (District Plan). Other applicable by-laws, policy and guidance (including Parks Canada's 'Standards and Guidelines for the Conservation of Historic Places in Canada') are also considered when assessing impacts to the character of the HCD to ensure that proposed structures do not negatively impact the HCD.

Section 2.2 of the District Plan provides a Statement of Cultural Heritage Value or Interest for the entire district. This includes a list of heritage attributes, which are those physical components of the HCD that express its cultural heritage value. These include: "Varied ages, styles and types of buildings...; A compact scale comprised of street width, building height (approximately 2-3 storeys) and setbacks." Additionally, Section 2.3 of the Plan provides a description of the sub-areas and their heritage attributes. This property is located in the 'North to Bagot' sub-area and its attributes are described in Section 2.3.2, which include: "Closely packed buildings forming a strong street edge;" "Vernacular building design predominant;" and "Views to the lake down each cross street." The subject property contributes to these attributes, making it a culturally important part of the HCD.

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

Summary of Project Proposal and Impact Analysis

Section 5.0 of the District Plan provides policies and guidelines related to Building Alterations and Additions in general, and more specifically related to managing changes to features such as roofs, windows, cladding and the design of additions. The District Plan directs one to consider five questions when designing and evaluating a proposed alteration:

1. In what way will the proposed alterations affect the overall character of the streetscape of the District?
2. Could the alterations find ways to enhance the heritage character of the District?
3. What will the impacts to the property's heritage attributes be?

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4. Can these impacts be minimized through design?

5. If this alteration were commonly applied throughout the District would the cumulative impact be acceptable?

Section 5.3.1 provides direction regarding roof alterations on heritage buildings and notes that “roof profiles visible from the street should remain unaltered.” The use of the term “should” in this statement is important when considering the impact of this change against the five questions noted above. Will a change to this roof’s profile have an unacceptable negative impact to the “overall character of the streetscape” of the HCD? To best answer this question, and as directed by Guideline 4.3.3 of Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada (the Standards and Guidelines), one must first understand what contributions this roof and property add to the character of the historic place (the HCD).

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

Guideline 4.3.3 of the Standards and Guidelines recommends that when modifying a roof to accommodate a new or expanded use it should be done in a manner that “respects the building’s heritage value” and thus its contribution to the historic place (the HCD). The subject building is not a prominent landmark designed by a renowned architect. It is a simple, working-class vernacular row-house from the early 1800s. Common to this style is a side-gable roof, with or without dormers. The low-pitch roof limits the interior ceiling height, thus reducing the usable space on the second floor of building; this, coupled with the small size of the property and the owners’ desire to minimize the impacts to the heritage character of the building, limits their ability to adaptively reuse this space, thus requiring its alteration.

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

Standard 12 of the Standards and Guidelines, and Section 5.2.2 of the District Plan, speaks to designing new additions to ensure that the “essential form and integrity” of the heritage resource is not impaired, should the new addition be removed in the future. While this is a substantial addition and change to the property, the features of the heritage building noted in the Property Inventory (i.e. the rubble stone composition of the western wall; the two original chimneys and

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gable roof, and its simple box-like design) are being preserved. Should the dormer be removed or further altered in the future, the integrity of the heritage resource can be understood and conserved.

Sections 5.3 and 5.4 of the District Plan provide more specific guidance on altering and adding additions to heritage buildings. The plan states that cladding on new additions should be distinct from the cladding on the heritage building and the use of reveals, transitions or offsets are encouraged to enable one to clearly identify the new addition against the original building form. The applicants have designed the new dormer to include a 1 metre inset (reveal) along the sides of the dormer, to retain evidence of the original roof profile.

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

Results of Impact Analysis

While the scope of the application will result in changes to the rear roof profile of the building only, consideration of the contribution of this property to the heritage value of the Old Sydenham Heritage Conservation District, and how these changes will impact that contribution, has been completed. The analysis concludes that the historic profile and contribution to the streetscape will be conserved and not negatively impacted by the changes to the rear of the roof with the new dormer. The new dormer is designed to be sympathetic and compatible with the HCD and the building. Once completed, this project will give this building additional utility as a residential property, without negative impacts to the heritage value of the HCD.

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

Previous Approvals

None

Comments from Department and Agencies

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

Planning - The property is zoned Heritage Zone 3 – Old Sydenham (HCD3). Per Section 13.4.2.1. of the zoning by-law, dormers are permitted in HCD3 zones provided:

- a) The front wall of the dormer is setback a minimum of 0.4 metres from the main wall;

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- b) The side wall of the dormer is setback a minimum of 1.0 metres from the edge of the roof on which it is located; and
- c) The maximum cumulative length of all dormers on the same portion of a sloped roof is the lesser of 4.6 metres or 50% of the length of the roof on which it is located.

The proposed dormer does not comply with the above requirements. A minor variance will be required unless the proposal can be revised to comply.

Engineering - No concerns from Development Engineering with this application.

Kingston Hydro - No concerns at this time.

Consultation with Heritage Kingston

The Heritage Properties Committee was consulted on this application through the [DASH](#) system. Written comments from one member were received at the time of writing this report (Exhibit E). The responding member noted no concerns with the proposal.

Conclusion

Staff recommends approval of the application File Number P18-085-2025, subject to the conditions outlined in Exhibits A.

Existing Policy/By-Law

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

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

City of Kingston Official Plan

Old Sydenham Heritage Area Heritage Conservation District Plan

Notice Provisions

Pursuant to Section 42(3) of the *Ontario Heritage Act (OHA)*, notice of receipt of a complete application has been served on the applicant.

Financial Considerations:

None

Contacts:

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Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Conditions of Approval
- Exhibit B Context Maps
- Exhibit C Property Inventory Evaluation
- Exhibit D Conceptual Plans
- Exhibit E Correspondence Received from Committee
- Exhibit F Final Committee Comments