



**City of Kingston  
Report to Heritage Kingston  
Report Number HK-22-016**

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**To:** Chair and Members of the Heritage Kingston  
**From:** Paige Agnew, Commissioner, Community Services  
**Resource Staff:** Jennifer Campbell, Director, Heritage Services  
**Date of Meeting:** March 16, 2022  
**Subject:** Stuart Street Cultural Heritage Assessment & Notice of Intention to Designate  
**Address:** 140 Stuart Street  
**File Number:** R01-001-2022

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**Council Strategic Plan Alignment:**

Theme: 5. Foster healthy citizens and vibrant spaces

Goal: See above

**Executive Summary:**

This report provides background information on an assessment of the cultural heritage value of three properties along Stuart Street – 140 Stuart Street, 146 Stuart Street, and 154-160 Stuart Street. These properties are owned by Queen’s University and were assessed as part of ERA’s Cultural Heritage Study in 2015. They are not currently included in the Queen’s University Heritage Easement Agreement.

Through this report, staff are recommending that a Notice of Intention to Designate be issued for the property at 140 Stuart Street. The cultural heritage assessment of 146 Stuart Street reinforces that it does not merit cultural heritage consideration or protection. The assessment of 154-160 Stuart Street reveals that this property has limited cultural heritage value and given its current condition and role within its current and future contextual landscape, staff do not recommend listing or designating the property. Staff have prioritized the review of the Stuart Street properties with the understanding that Queen’s University intends to pursue a demolition

March 16, 2022

Page 2 of 9

permit for 154-160 Stuart Street in 2022. A full rationale regarding the cultural heritage value assessment of these properties is included in the body of this report.

The owner of the property, Queen's University, has been provided with the draft by-law for 140 Stuart Street and have indicated their support for the text contained within and for the designation. Staff recommend proceeding with serving the Notice of Intention to Designate on the property to ensure its long-term conservation and to enable the City to provide support and resources to the owner and tenants through the heritage permitting process and the Heritage Property Grant program. The Notice of Intention to Designate and draft designation by-law have been prepared in accordance with the amendments to the *Ontario Heritage Act* through Bill 108, which came into effect on July 1, 2021.

**Recommendation:**

**That** Heritage Kingston recommends to Council:

**That** Council serve a Notice of Intention to Designate the property located at 140 Stuart Street, known as the Sparks-Royce House, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HK-22-016; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, that Council approve the Draft Designation By-Law for 140 Stuart Street, known as the Sparks-Royce House, attached as Exhibit B to Report Number HK-22-016 and carry out the requirements as prescribed under Section 29(6) of the Act.

March 16, 2022

Page 3 of 9

**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,  
Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief  
Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Transportation & Public Works	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

March 16, 2022

Page 4 of 9

**Options/Discussion:****Background****Cultural Heritage Study (2015) – Stuart Street Properties**

The three properties described in this report were reviewed and evaluated as part of a Cultural Heritage Study completed by ERA Architects Inc. in 2015. This study was commissioned by the City of Kingston in response to Queen's application (later withdrawn) for a Demolition Permit for 154-160 Stuart Street in 2014. The withdrawal of the Demolition Permit was agreed to with the understanding that further assessment of the cultural heritage value of the property at 154-156 Stuart Street (former Film Studies Building) and of the adjacent properties at 146 Stuart Street (La Salle Building) and 140 Stuart Street (Sparks-Royce House) could be completed. Key findings of the 2015 Cultural Heritage Study include:

- 140 Stuart Street should be conserved as the property satisfies multiple criteria of *Ontario Regulation 9/06* and is in very good condition.
- 146 Stuart Street does not meet any criteria of *Ontario Regulation 9/06*.
- 154-160 Stuart Street does satisfy some criteria of *Ontario Regulation 9/06*. The buildings are representative of the Queen Anne style, but their architectural integrity has been negatively impacted by modern alterations and additions related to their institutional use in the second half of the 20<sup>th</sup> century. The evolution of Stuart Street from a residential to institutional landscape has further diminished their contextual value, and at present they provide a limited reference to the former residential streetscape.

**Discussion****140 Stuart Street – Reasons for Designation**

The subject property at 140 Stuart Street, also known as the Sparks-Royce House, was reviewed and evaluated as part of the Cultural Heritage Study of properties on Stuart Street by ERA Architects Inc. As required under the *Ontario Heritage Act*, the study provided an evaluation of the cultural heritage value of 140 Stuart Street under *Ontario Regulation 9/06*, which includes physical/design value, historical/associative value, and contextual value. Through this evaluation it was determined that the property satisfies six of the Regulation's evaluation criteria and accordingly met the requirements for designation under the Act, as described below. The Sparks-Royce House is proposed for future inclusion in the updated Queen's University Heritage Easement; however, given the significant cultural heritage value of the property, staff recommend interim and additional protection under Part IV of the *Ontario Heritage Act*.

The Sparks-Royce House is located on the south side of Stuart Street between St. Lawrence Avenue and Lower University Avenue, within Queen's University main campus (Exhibit C). This stretch of Stuart Street has undergone significant transformation over the last 140 years. Originally developed as a residential streetscape from the 1880s to the 1920s, it has transitioned to a predominantly institutional character over the last 60 years. The property at 140

March 16, 2022

Page 5 of 9

Stuart Street is one of the last residential buildings on Stuart Street and contains a one-and-a-half storey stucco-clad brick house constructed circa 1923. The building has undergone few alterations and displays much of its original building fabric.

The building has design value as a unique example of a classically influenced residence in Kingston dating to the early 1920s. Typical of the style, the front (north) façade is organized into three symmetrical and balanced bays with a central entrance. The original windows, French doors with bi-fold shutters, and six-panel entrance door with decorative leaded glass transom and flanked by wood columns with classical entablature above and a flat roof with ornamental rail, highlight the building's high degree of craftsmanship. The landscaping at the front of the house, including a generous front yard with central footpath and short stone wall forming a stone courtyard, enhance the contextual value and setting of the house along Stuart Street.

The complete statement of cultural heritage value for 140 Stuart Street is included in the draft designation by-law attached as Exhibit B. It is important to note that changes to the *Ontario Heritage Act*, effective July 1, 2021, inform the designation process recommended through this report. These changes are reviewed briefly below.

### **Bill 108**

The *More Homes, More Choice Act, 2019* received Royal Assent on June 6, 2019. This 90-page bill, known as Bill 108, made changes to 13 separate acts, including the *Ontario Heritage Act*. The amendments to the *Ontario Heritage Act* came into effect on July 1, 2021. With respect to the proposed designation noted in this report, the pertinent changes enacted through Bill 108 include: the prescribed information now required in the Notice of Intention to Designate and the designation by-law, and changes to the appeal process.

As outlined in detail in report [HK-21-004](#), the process and timing for serving of the Notice of Intention to Designate remains unchanged. However, Bill 108 introduced a new two-tier appeal process for new designations, whereby, following the 30-day appeal period, any objection of the Notice is required to be brought back to City Council for consideration. Council then has 90 days to decide if it wishes to withdraw or maintain its Notice of Intention to Designate in the form of either a Notice of Passing or a Notice of Withdrawal. The public is then afforded a second opportunity to appeal the designation to the Ontario Land Tribunal within 30 days of the publication of the Notice of Passing. The Tribunal will review the appeal, hold a hearing, and render a binding decision on the designation.

### **146 Stuart Street (La Salle Building) – No Heritage Considerations**

The building at 146 Stuart Street, known as the La Salle Building, is one of two buildings designed for Queen's University by Holtshousen Thompson LaFramboise Maletter Architect and Engineers in 1968. The sister building is located on Barrie Street and is known as the Catarqui Building. The La Salle Building has undergone minor alterations since 1968. The building was assessed as part of ERA's Cultural Heritage Study and did not meet any of the criteria of

March 16, 2022

Page 6 of 9

*Ontario Regulation 9/06.* Consequently, the property does not currently merit cultural heritage consideration or protection.

### **Film Studies Building – Cultural Heritage Value & Additional Considerations**

The subject property at 154-160 Stuart Street is located on the south side of Stuart Street between St. Lawrence Avenue and Lower University Avenue. The property contains a pair of formerly detached late 19<sup>th</sup> century Queen Anne residences, constructed in 1897 and 1899, respectively. They are joined by a modern three-storey addition, constructed in 1998. The property is not currently included on the City's Heritage Properties Register (it is neither listed nor designated) and it is not included in the current Heritage Easement Agreement between the City of Kingston and Queen's University. The building was most recently home to Queen's Department of Film and Media, and accordingly, the building is most often referred to as the "Film Studies Building." In 2014, the Department of Film and Media moved to the Isabel Bader Centre and the building has been vacant since.

The 2014 Queen's University Campus Master Plan (CMP) identifies the property as a redevelopment site for the construction of a new building that incorporates the front (King Street East side) of the University Club building as well as the adjacent La Salle Building (Exhibit D). The CMP was a master planning process led by Queen's University and a team of consultants, which included public engagement with various interested parties and neighbourhood associations in areas adjacent to the campus. In considering Queen's owned heritage buildings and the ongoing question of campus expansion, a cultural landscape approach was employed that advocated for a clear transition between the institutional landscape of the campus to the surrounding historic residential areas. On Stuart Street, the CMP recommends the continued institutional development of this streetscape to reflect the current predominantly existing institutional form.

Following the building's vacancy and in keeping with the CMP, Queen's University applied for a Demolition Permit for the property in 2015. The permit application was subsequently withdrawn at the request of the City to allow an opportunity to assess the cultural heritage value of the Stuart Street properties more thoroughly. Discussions surrounding the future of these buildings was intermittent in the succeeding years and involved additional structural and heritage considerations. In 2021, discussions concerning the Film Studies Building recommenced between Queen's and the City's newly formed Heritage Services Department. Staff requested that additional information be provided relating to the condition of the building, its cultural heritage value and proposed demolition. A full report by Julian Smith and Associates was submitted to Heritage Services staff at the end of 2021 (Exhibits E).

According to Julian Smith's report, the current condition of the Film Studies Building is very poor. He references a 2019 report by Engineeringlink Inc., which documented serious issues related to the exterior building envelope, noting the shoring of some areas in relation to poorly supported openings. Additionally, Julian Smith's report highlights that a follow-up report in 2021 by Roney Engineering examined areas of water infiltration and noted that the stone foundations have become destabilized owing to the extensive loss of lime mortar. This in turn has led to

March 16, 2022

Page 7 of 9

areas of vertical cracking of the exterior brick walls. Furthermore, the Roney Engineering report identifies problems at a number of window and door openings with settlement of sills and dislocation of frames and the two front porches are in very poor condition with severe rotting of their structural members and some of their decorative detailing. Julian Smith also references a 2019 report, commissioned by Queen's, which engaged an interdisciplinary team of architects, structural engineers, mechanical and electrical engineers, and hazardous materials abatement consultants, to explore the possible adaptive reuse of the Film Studies Building. In summary, Julian Smith's report concludes that the findings of the 2019 interdisciplinary report in combination with the structural information provided in the 2021 Roney Engineering report, suggests that even basic remedial work would be upwards of 3 million dollars. Consequently, Queen's University is not interested in continuing to pursue the adaptive reuse of this building.

Heritage Services staff have carefully reviewed the findings of the 2015 Cultural Heritage Study by ERA Architects, as well as the report provided by Julian Smith and Associates in 2021. Staff recognize that the Film Studies Building meets some criteria of *Ontario Regulation 9/06*. To advance a designation under the *Ontario Heritage Act*, at least one criterion must be met; however, the meeting of a criteria does not necessitate a designation. In the case of 154-160 Stuart Street, the buildings have design/physical value as representative Queen Anne style residences that reflect the former residential character of the streetscape; however, residential examples of the Queen Anne style exist within the surrounding area that exhibit higher physical and design integrity. As ERA's Cultural Heritage Study demonstrates, there are several Queen Anne style houses in the vicinity and across downtown Kingston, including a number that are protected under the *Ontario Heritage Act* (Exhibit F). Moreover, several of these Queen Anne buildings are in Queen's ownership, including 96 Albert Street, 20-24 Barrie Street, 172,174 and 178 Barrie Street, and 144 Albert Street, which was recently successfully incorporated into a new student residence.

Furthermore, Stuart Street has evolved considerably over the last 60 years from a late 19<sup>th</sup> century residential street to one of largely institutional character. The Film Studies Building's visual and historic links to the surrounding area have been weakened by fifty years of institutional development along Stuart Street, thereby eroding their contextual value. Ultimately, 140 Stuart Street, which has a high level of physical and design integrity is better suited for conservation as a physical reminder of Stuart Street's former residential era. Though staff are not recommending heritage protection for the property at 154-160 Stuart Street, staff have communicated the importance of appropriately documenting the building through measured drawings and photographic documentation, prior to its demolition. Staff have also confirmed Queen's intent to provide a long-term and meaningful commemoration plan as part of the permanent redevelopment of this site – this is understood to include at minimum appropriate landscaping and the installation of a "Queen's Remembers" plaque. The site has been well documented through the studies undertaken to date, as well as through the records of the Film Studies Program and the holdings of the Queen's University Archives.

March 16, 2022

Page 8 of 9

## Conclusion

Designations represent public recognition of the cultural heritage value of buildings, sites, landscapes, and cultural features that help to define and conserve a sense of place, space, and the unique and valued aspects of our collective history. Designations help to manage future changes to a property so that the cultural heritage value of a property can be maintained for future generations. Importantly, all historic buildings merit careful consideration when faced with conservation, redevelopment and/or demolition. Staff have carefully reviewed all relevant reports and assessed a variety of considerations when considering the cultural heritage value of the three properties described in this report. The final recommendation of staff is to move forward with designation under Part IV of the *Ontario Heritage Act* of the property at 140 Stuart Street, to take no action on the property at 146 Stuart Street, and to take no action and in so doing allow the demolition of the property at 156-160 Stuart Street (with an understood commitment by Queen's University to document and commemorate the property following best practice).

The property owner, Queen's University, has been provided with the draft by-law for 140 Stuart Street. Though property owners are not required to support a designation, the property owner's input has been considered in the drafting of the by-law text, and Queen's University is supportive of the designation and recognizes the significance of this property's cultural heritage value. Staff recommend proceeding with serving the Notice of Intention to Designate the property at 140 Stuart Street. Exhibit A presents the Notice of Intention to Designate, prepared in accordance with the recently amended requirements of the *Ontario Heritage Act*. It is recommended that the Notice be served by the Clerk as required by Sections 29(3) and (4) of the Act. Should no notice of objection be received by the Clerk within the thirty (30) day timeframe, staff recommends that Council approve the draft designation by-law attached as Exhibit B and serve a Notice of Passing in accordance with Section 29(8) of the Act.

### Existing Policy/By-Law:

*More Homes, More Choice Act*, 2019 (Province of Ontario)

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

Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest (Ontario)

Ontario Regulation 385/21 – General Regulations (Ontario)

City of Kingston Official Plan

### Notice Provisions:

Notice of Intention to Designate must be served on the property owner(s) and the Ontario Heritage Trust and be published in a newspaper, having general circulation in the municipality, pursuant to Section 29 of the *Ontario Heritage Act*.



March 16, 2022

Page 9 of 9

**Accessibility Considerations:**

None

**Financial Considerations:**

None

**Contacts:**

Jennifer Campbell, Director, Heritage Services, 613-546-4291 extension 1377

Alex Rowse-Thompson, Planner, Heritage, 613-546-4291 extension 3251

**Exhibits Attached:**

Exhibit A Notice of Intention to Designate

Exhibit B Draft Designation By-Law – Sparks-Royce House

Exhibit C Key Map & Property Photographs

Exhibit D Figure 5-4 Main Campus Renewal and Development (2014 Campus Master Plan)

Exhibit E Status Report, 154-160 Stuart Street (Julian Smith & Associates, Architects)

Exhibit F Queen Anne Style Residences in Downtown Kingston

**Notice of Intention to Pass a By-Law to Designate  
The following property to be of Cultural Heritage Value and Interest Pursuant to the  
Provisions of the *Ontario Heritage Act* (R.S.O. 1990, Chapter 0.18)**

**Take Notice** that the Council of The Corporation of the City of Kingston intends to pass a by-law under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to designate the following land to be of cultural heritage value and interest:

**140 Stuart Street** (Part of Lots 1, 18 and 19, Plan C3 and Part of Lot 1, Plan D24, being Part 1 on Plan 13R\_\_\_\_\_, City of Kingston, County of Frontenac), known as the Sparks-Royce House:

140 Stuart Street has cultural heritage value as a unique example of a classically influenced residence in Kingston, constructed in the early 1920s. The property has associative value for its connections to Dr. E.B. Sparks, the original owner who commissioned its design, Jean Royce, Queen's University's longest serving registrar and Page & Warrington Architects of Toronto, well-known for many modern era heritage landmarks in Toronto. The property exemplifies Stuart Street's residential era and is one of the last remaining houses.

**Additional information**, including a full description of the reasons for designation is available upon request from Alex Rowse-Thompson, heritage planner, Heritage Services at 613-546-4291, extension 3251, or at [arowse-thompson@cityofkingston.ca](mailto:arowse-thompson@cityofkingston.ca) during regular business hours.

Any notice of objection to this notice of intention to designate the property, setting out the reason for objection and all relevant facts, must be served upon the City Clerk within 30 days of the first publication of this notice.

**Dated** at the City of Kingston

John Bolognone, City Clerk

this XXX day of XXXX, 2022

City of Kingston

Clause (\_\_\_\_) to Report (\_\_\_\_)

**By-Law Number. 2022-XX**

**A By-Law To Designate 140 Stuart Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)**

**Passed:** XXX, 2022

**Whereas** Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

**Whereas** Council has consulted with its Municipal Heritage Committee and has approved the designation of the property located at 140 Stuart Street, also known as the Sparks/Royce House (Part of Lots 1, 18 and 19, Plan C3 and Part of Lot 1, Plan D24, being Part 1 on Plan 13R\_\_\_\_\_, City of Kingston, County of Frontenac) on February 16, 2022; and

**Whereas** a notice of intention to designate the property was published in The Kingston Whig-Standard, which is a newspaper having general circulation in the Municipality, on XXXXXXX, 2022; and

**Whereas** no notice of objection to the proposed designation was served to the Clerk of The Corporation of the City of Kingston.

**Therefore Be It Resolved That** the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. To designate as being of cultural heritage value and interest the following property in the City of Kingston: 140 Stuart Street, also known as the Sparks/Royce House, more particularly described in Schedule "A" attached hereto and forming part of this By-law;
2. A copy of the designating by-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the land described in Schedule "A" hereto and on The Ontario Heritage Trust and to cause notice of the passing of this by-law to be published in *The Kingston Whig-Standard*;
3. For the purpose of interpretation, the term 'Maintenance' will include the following definition (or as otherwise defined in the City's Procedural By-law for Heritage):  
"Maintenance means routine, cyclical, non-destructive actions, necessary to slow the deterioration of a Protected Heritage Properties, including the following:

City of Kingston By-Law Number 2022-XX

periodical inspection; property cleanup; gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs, including replacement of asphalt shingles where there is little or no change in colour or design; repainting where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing.”

4. The City reserves the right to install a designated property plaque or interpretive panel; and
5. This By-Law shall come into force and take effect on the date of its passing.

Given First and Second Readings XXX, 2022

Given Third Reading and Passed XXX, 2022

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**John Bolognone**

**City Clerk**

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**Bryan Paterson**

**Mayor**

**Schedule “A”**

**Description and Reasons for Designation**

**Sparks-Royce House**

Civic Address: 140 Stuart Street

Legal Description: 140 Stuart Street – Part of Lots 1, 18 and 19, Plan C3 and Part of Lot 1, Plan D24, being Part 1 on Plan 13R\_\_\_\_\_, City of Kingston, County of Frontenac.

Property Roll Number: 101101006008700

**Introduction and Description of Property**

The Sparks-Royce House is located on the south side of Stuart Street between St. Lawrence Avenue and Lower University Avenue, within Queen’s University main campus, in the City of Kingston. The property contains a one-and-a-half storey stucco-clad brick house constructed circa 1923. The house is set back from the sidewalk with a generous lawn and central walkway.

**Statement of Cultural Heritage Value/Statement of Significance**

*Physical/Design Value*

The property has design value as a unique example of a classically influenced residence in Kingston dating back to the early 1920s.

The property has a terraced front yard with a driveway along the east edge of the property and a footpath from the sidewalk to the main entrance. A stone courtyard runs the full length of the front façade. The courtyard wall follows a random squared stone pattern with quoins defining the corners and openings and is finished with a flat stone coping. The front entry into the courtyard is framed with square piers each with a stone cap.

The residence is a modest one-and-a-half storey stucco building with a rear wing. The building sits on a stone foundation and has a brick wall construction with an exterior stucco treatment. The house has a medium (45-degree angle) gable roof profile. The wood eaves display exposed rafter ends in a simple classical profile. The gutters and downspouts are painted metal.

Typical of the style, the front (north) façade is organized into three symmetrical and balanced bays with a central entrance. On the either side of the entrance are double French doors with bi-fold wood shutters. Rounded dormers in the gable roof are located centrally above each of the ground floor openings. The main entrance has a six-panel wood door with a decorative leaded glass transom. The entrance is framed by wood

columns on either side, a classical entablature above, and a flat roof with an ornamental metal rail. The side and rear elevations display gable end walls with corbelled brick courses at the base of the roof gable step. There is a modern single flat roof garage at the rear.

The windows are original divided light wood windows in wood frames and with stone sills. The house has several window types: the basement windows are double divided light casements; the ground floor windows are four-over-four and six-over-six sash; and the second-floor windows (east and west elevations) are tripartite windows with a centre round headed six-over-six wood sash window, flanked by two-over-two wood sash. There are double divided light casements with arched transoms at the front dormers.

The interior layout follows a central hall plan that originally connected to the primary ground floor living spaces. The second floor was reserved for bedrooms and a bath. The basement housed storage, utility and laundry spaces as well as a garage.

#### *Historical/Associative Value*

The property has associative value related to Dr. E.B. Sparks. Sparks commissioned Page & Warrington to design the house, and he and his family were the original residents. Dr. Ernest Bland Sparks was a local dentist who graduated from the Royal College of Dental Surgeons in 1906. He operated a dental practice with his father, Dr. Robert E. Sparks, on Princess Street. Dr. E.B. Sparks also served with Queen's Hospital during the First World War as a dental officer in Egypt, France, and Belgium. He continued to serve in the military as a commanding officer from 1923 to 1926.

The property has associative value for its connections with Jean Isobel Royce, Queen's University's longest-serving registrar. Royce resided at 140 Stuart Street after Queen's University purchased the property in the 1960s. Born in St. Thomas, Royce enrolled at Queen's University in 1927 and went on to serve as registrar from 1933 to 1968. As registrar, she played a significant role in curriculum development, especially the expansion of the Faculty of Arts and Science during the 1950s and 60s. Royce was national President of the Queen's Alumnae Association, founder of the Ban Righ Foundation, and member of the Board of Trustees from 1969 to 1975. The Jean Royce Fellowship and the Alfred Bader Fellowship in Memory of Jean Royce commemorate her contributions to the university.

The property also has associative value for its affiliations with Page & Warrington Architects of Toronto. Operating between 1912 and 1925, this partnership between Forsey Pemberton Page and Stanford Warrington produced a portfolio of fine residences in and around Toronto. Page & Warrington designed this small residence for Dr. E.B. Sparks in 1921. The house was published in the *Canadian Homes & Gardens* issue on small houses in June 1928. This house is their only known project in Kingston. Forsey Page went on to form the architecture firm of Page and Steele with W. Harland Steel in 1926. The award-winning firm, which is still in practice today, is responsible for many Modern era heritage landmarks in Toronto.

### *Contextual Value*

The property has contextual value as an example of Stuart Street's residential era. In 1875, the west half of Stuart Street was subdivided into residential lots. From the 1880s to the 1920s, a variety of wood frame and brick residences were constructed. The Dr. E.B. Sparks house was one of the last constructed on the street and is one of the last remaining houses.

### **Cultural Heritage Attributes**

Key exterior attributes that embody the cultural heritage value of 140 Stuart Street as a fine example of a classically influenced cottage in Kingston include:

- The placement of the house set back from Stuart Street, illustrating the original residential street wall;
- The placement of the house upon a slope to allow for a garage within the basement, accessed from the rear (this does not include the later 20<sup>th</sup> century flat roof garage addition on the south elevation);
- The landscaping at the front of the house, including a generous front yard with a central footpath and short stone wall forming a stone courtyard;
- The one-and-a-half storey building massing following a T-shaped plan with gable roof profile;
- The traditional stucco finish on the exterior brick walls and the stone foundation;
- The wood bargeboard on gable ends with corbelled brick courses at the base of the roof gable step;
- The wood eaves displaying exposed rafter ends with a classical compound curve profile;
- The symmetrical organization of the front (north) façade divided into three bays with a central front entrance;
- The front entrance composed of a six-panel wood door and a decorative leaded glass transom framed within flanking wood columns and a rectangular pediment;
- The wood entrance surround with simple classically influenced details and profiles;
- The entrance roof with a small balcony and an ornamental metal rail;
- The double French doors and the bi-fold wood shutters with S-shaped metal shutter holdback hooks;
- The well-proportioned windows and openings including the typical ground floor six-over-six wood sash window with rock-faced stone sills, the tripartite windows on the second floor within the side (east and west) gables, and the double wood casement windows with rock-faced stone sills at the basement level; and
- The rounded dormers on the front (north) and side (east) roof slopes each with double divided light casement windows and a rounded transom.

City of Kingston By-Law Number 2022-XX

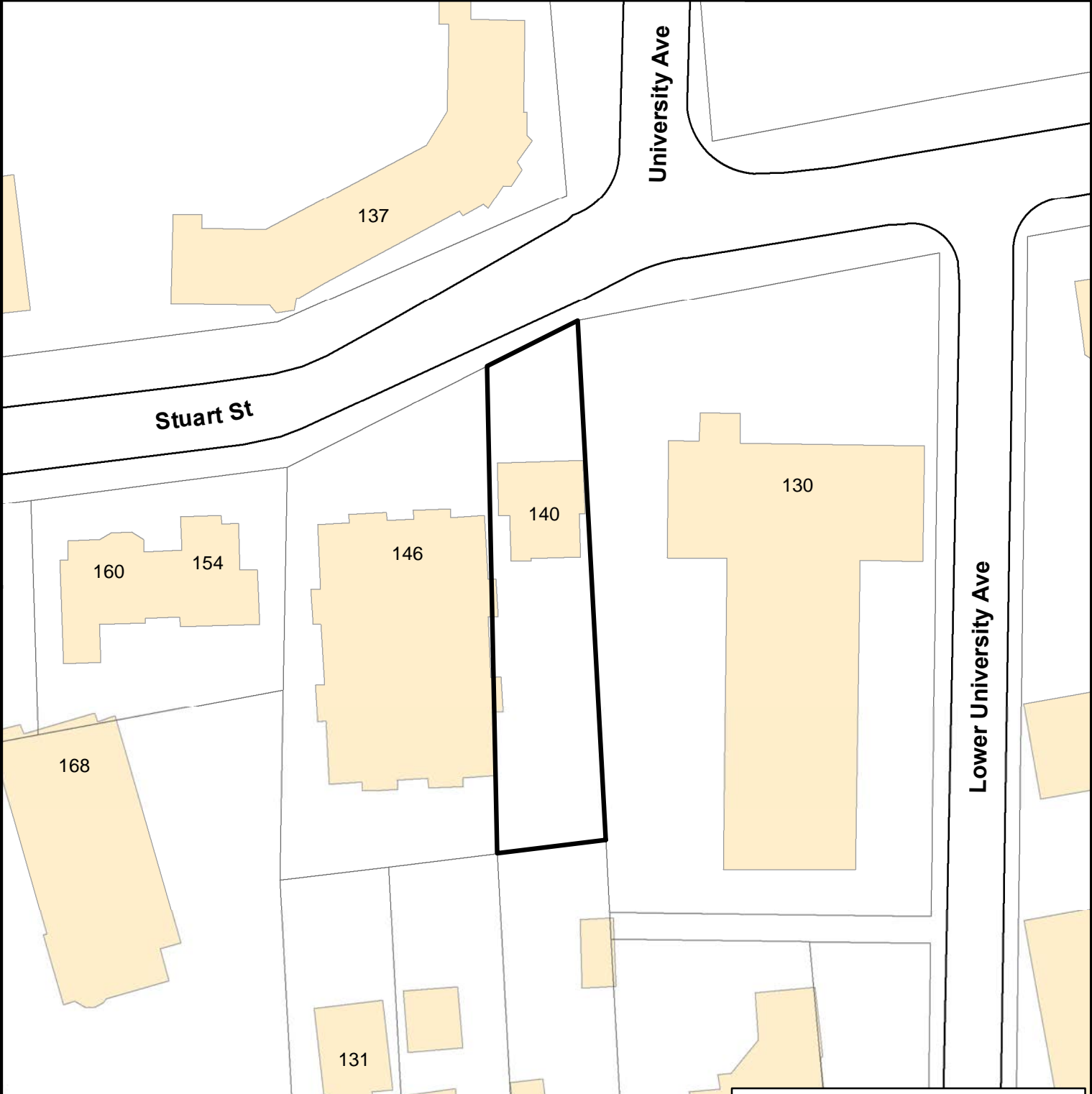
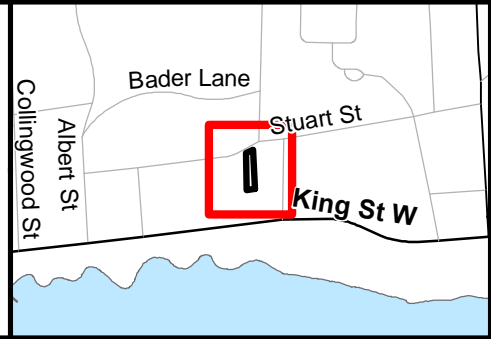
- The rounded dormers on the front (north) and side (east) roof slopes each with double divided light casement windows and a rounded transom.



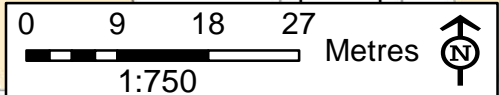


Heritage Kingston Committee  
**Key Map**  
Address: 140 Stuart Street  
File Number: R01-001-2022

 Subject Lands



Prepared By: gronan  
Date: Jan-13-2022



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**Front Elevation (North)**



**Front Elevation (North)**



**East Elevation – original wood windows, eaves, exposed rafter ends, corbelled brick courses at the base of the roof gable step**



**Front Entrance (North) – Six-panel wood door with decorative leaded glass transom with classically influenced wood surround and small balcony with ornamental metal rail above**



**Rear Elevation (South) showing modern flat roof garage addition**





## STATUS REPORT

154-160 STUART STREET  
QUEEN'S UNIVERSITY CAMPUS

2 November 2021



**Julian Smith & Associates, Architects**

1205 Put-in-Bay Road, Unit 2  
Huntsville, ON \_P1H 2J6



**Julian Smith & Associates, Architects**

**STATUS REPORT**

154-160 STUART STREET  
QUEEN'S UNIVERSITY CAMPUS

**INTRODUCTION:**

This report sets out the current status of the old Film Studies Building at 154-160 Stuart Street. It addresses the following areas:

- The broader context of this property within the Queen's University campus. This includes a discussion of the University's approach to the ongoing evolution of the campus, as set out in the 2014 Campus Master Plan.
- The heritage value of the property, within the cultural landscape framework of the Queen's University campus, as well as within the more specific context of Ontario Regulation 9/06
- The present condition of the property, based on recent architectural and engineering reports and an additional site visit to examine the primary exterior and interior components.
- The proposed timeline for the property in the near-, medium- and long-term.

As set out below, the building is a patchwork institutional structure created in the late 20<sup>th</sup> Century by combining two earlier residences and adding a connecting wing. It is not only in very poor condition, but does not begin to meet contemporary code requirements related to accessibility, energy conservation, health or safety. The costs of even partial code compliance – including no universal access except on a small part of the ground floor - would be prohibitive [\$3million or more] and the result would be a band-aid solution at best. It is recommended that the building be demolished to provide part of an important development site, to more appropriately complete the residential/institutional streetscape of Stuart Street.

I. **BROADER CONTEXT**

The 2014 Campus Master Plan recognizes that heritage buildings are a key component of the cultural landscape of Queen's University main campus. The University has successfully conserved many landmark buildings that contribute not only to the University's local and global identity, but also to the urban landscape of the City of Kingston.

**Limestone buildings:**

Most notable among these are the limestone institutional buildings constructed during the second half of the 19<sup>th</sup> Century and the first half of the 20<sup>th</sup> Century. They are expansive in

scale and prominently set as pavilions with the landscape, intended to be viewed and experienced from all sides. These buildings comprise almost all the buildings included in the current Heritage Agreement between the University and the City of Kingston.

**Brick buildings:**

As the campus grew, it expanded into adjacent residential areas typified by brick-clad single-family homes. Most of these were demolished to be replaced by larger stone-clad institutional complexes, but a few were left standing. The most significant is the Richardson-Etherington home on University Avenue, which has become a prominent feature of the Agnes Etherington Art Centre. This house was substantial enough to take on an institutional identity. The others, without their original residential streetscapes, are not significant in establishing a campus identity at either a broader or more local scale. They were not designed to sit as isolated pavilions, but rather as part of a tightly-knit framework.

**Cultural landscape approach:**

As part of the 2014 Campus Master Plan, the question of ongoing expansion into adjacent residential areas was addressed by putting all individual buildings into a cultural landscape framework – meaning they were evaluated both as isolated objects and as significant contributing components within their streetscapes. In particular, it was recognized that for streets parallel to the campus edges, the transition from institutional to residential urban forms works best if it occurs mid-block rather than having one side of a street completely different in character from the opposite side. A successful streetscape, particularly in a pedestrian-oriented environment such as a university campus, is a complete three-dimensional experience. For smaller streets perpendicular to the campus edges, where the streetscapes carry the transition from residential to institutional, it was recognized that this transition should occur simultaneously on both sides of the street.

This cultural landscape approach can be seen in the Campus Master Plan recommendations for Albert Street, Clergy Street West, University Avenue north of Union, and Barrie Street, among others.

**Public engagement:**

The approach set forward in the 2014 Campus Master Plan was discussed at length with various interested parties, including neighbourhood associations in areas adjacent to the campus. Besides the acceptance of the general approach as part of the approval of the Master Plan, a more specific instance of its application was the approval by the City and its heritage committee for the new Albert Street residence. This building helps establish the transition point between institutional and residential at mid-block, between Albert on the east and Collingwood on the west.

Any demolition of an older residential building raises concerns with heritage conservation advocates, but it is felt that the cultural landscape framework set out in the Master Plan allows decisions to be consistent and the results to be broadly understood and appreciated.



**The Stuart Street situation:**

The Master Plan recommendations for Stuart Street follow the same general approach. There already is a successful mid-block transition in place, from the predominantly institutional character of Stuart Street to the north and the residential character of King Street West to the south.

Within this context, the present building at 154-160 Stuart Street is an anomaly. This building complex no longer exists within a single-family residential streetscape, and the older residential components contained within the building are not of a size or prominence to establish their own identity within the campus environment. A larger institutional building comprising both this site and the LaSalle Building site to the east as seen as a more appropriate way to establish this southern campus boundary. This would address the need to an appropriate mid-block connection, with the University Club as a unique through connection.

2. **HERITAGE VALUE OF THE PROPERTY:**

The overall approach to decisions about heritage resources in Ontario is framed by the opening sentence of the section on Cultural Heritage and Archaeology:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

As demonstrated in recent LPAT decisions, the word ‘significant’ is an important criterium in applying this directive and in considering the merit of designations arrived at through application of the Ontario Heritage Act and its Regulation 9/06.

The property at 154-160 Stuart is complicated because it is one building made up of three components – two modified turn-of-the-century elements converted from residential to institutional use, connected by a late 20<sup>th</sup> Century element of institutional design. The assessment of a heritage property normally begins by applying the evaluation criteria to the whole building, and then seeing what may emerge in terms of more localized values.

**Regulation 9/06 value:**

Considered within the context of Regulation 9/06, the present vacant institutional building has no significant heritage value.

From a design or physical perspective, it is an amalgam that does not showcase any particular style, does not display a high level of craftsmanship, and does not demonstrate any particular technical merit. If the intermediate component of the complex were demolished, there would be two remnant residential buildings. These buildings would have compromised side walls, with multiple new and modified openings. Their street facades would be more intact, but in poor condition. Any decorative touches such as the terra cotta tiles or gable

treatments can be found more intact, and in better condition, on single-family residences on University Avenue north of Union, and on other intact streetscapes.

From a historical or associative perspective, the complex is not closely associated with any significant themes or persons or events related to Queen’s University or the City of Kingston. Nor does it represent the work of a significant architect or builder. A previous report<sup>1</sup> had identified some previous residents – Francis King, C.E. Montizambert, and Cornelius Bermingham – and used these names to argue that the buildings reflect “a range of Kingston life”. However, every building in Kingston represents some range of Kingston life. The association is only significant if the buildings themselves were significant in these people’s careers or identities, which these buildings were not. It should be noted that Queen’s University is retaining the residence at 140 Stuart Street because the long-time resident, Jean Royce, had a direct association with Queen’s University and her home played a role in this association.

From a contextual perspective, the property does not define, maintain, or support the character of the area, nor is it linked to its surroundings, nor is it a landmark.

**Cultural landscape value:**

Significance in a cultural landscape context would arise if the building played a key role in orienting people to the campus environment and helping shape its identity. This building has not functioned that way in the past, given its limited role within the evolution of the Queen’s University campus, and it would be difficult to imagine it functioning that way in the future because it has ceased to be adaptable to contemporary campus requirements related to scale, accessibility, and safety.

Overall, the building does not meet the PPS requirement of being a ‘significant’ built heritage resource.

3. **PRESENT CONDITION:**

The present condition of the subject property is very poor. Both its physical condition and its functional condition are problematic.

**Physical condition:**

The poor physical condition is due to a number of factors, including the age and gradual deterioration of the older components; the inappropriate conversion from residential to institutional; and the decay over time of the various building systems. The situation has become more serious with the limited maintenance since the building became vacant twelve years ago.

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<sup>1</sup> ERA, *Cultural Heritage Study, Stuart Street Properties*. July 27, 2015

A study of the building complex in 2019 by Engineeringlink Inc. noted serious issues related to the exterior building envelope, with a requirement for immediate shoring in relation to some of the poorly supported openings. This report recommended further investigation of areas subject to water infiltration.

The follow-up report by Roney Engineering is 2021 examined these areas of water infiltration and found serious problems. The stone foundations have become destabilized by the extensive loss of lime mortar, particularly in their rubble cores. This helps explain the numerous areas of vertical cracking extending up into the brick walls above. There are related problems at a number of the openings, with settlement of sills and dislocation of frames. The porches on the street facades are in very poor condition, with severe rotting of both their structural members and some of their decorative detailing.



Vertical cracking, front façade



Decay of decorative wood elements, front façade

The conversion from residential to institutional significantly altered the side elevations of the original residential components. Numerous new openings were cut out, and new interior finishes were fastened to what had been exposed exterior brick wall surfaces.

At the roof level, the new flat roof between the two gable-roofed components created a water drainage issue. Water penetration over time has caused decay of both the structural wood framing and the drywall finishes in the building interior, as well as mold problems.

The various building systems are at the end of their expected life cycles.

It should be noted that the University assumed that demolition would follow once the academic programs in the building had been relocated to more appropriate premises, some seven years ago. This is why services were disconnected and maintenance suspended.

**Functional condition:**

The functional condition of the building is equally serious in considering any long-term viability for the property as a campus building.

In terms of accessibility, the ground floor level is an average of 1.2m above grade, creating a serious barrier for access. A ramp system would be unrealistically long, with intermediate landings, and an exterior elevator would be difficult to integrate. And once within the building, the floors of the two earlier residential components are at different levels, requiring ramps within the floor plates. The internal doorways and corridors do not meet contemporary universal accessibility standards.

In terms of health and life safety, the buildings are of wood frame construction, not ideal for institutional use or loading conditions. To deal with the low fire resistance, the building has been divided into several internal fire compartments, requiring special doors that must be kept closed or on hold-open devices. Handrails in the stairwells are well below current code height requirements. The water infiltration from the walls and roof have led to mold, particularly on upper floors. The building also contains asbestos and other hazardous materials requiring abatement. The building does not meet code requirements for water supply or waste because there continue to be two separate services from the street, dating from the original residential configuration.

In terms of energy conservation, there are serious issues because of the double- and triple-wythe brick wall construction, without cavities for insulation. The windows and doors do not meet even minimal energy conservation standards, which are only increasing with time as the need for better performance becomes more urgent.

**Costs:**

In 2019, Queen's University hired an interdisciplinary team of architects, structural engineers, mechanical and electrical engineers, and hazardous materials abatement consultants, to explore the possible adaptive reuse of the building<sup>2</sup>. This report, coupled with the additional structural information provided in the 2021 Roney Engineering report, suggests that even basic remedial work, without achieving universal access or contemporary energy conservation standards, would be upwards of \$3 million. This kind of cost, combined with the design shortcomings, does not fit any realistic expectation for providing a long-term institutional use for the property.

The option has also been discussed of incorporating part or all of the front facades of the original residential properties in a large new institutional building. This is not feasible for a

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<sup>2</sup> Chu Architects Inc., *Queen's University – Film Studies: Condition Assessment & Cost Estimate*. 13 November 2019

number of reasons. Universal access for Queen's University buildings involves at-grade access, which in this case would be 4ft. below the façade elevations. It should be noted that although the new Albert Street residence incorporates older residential properties, it is on a site with a significant slope, allowing at-grade access at one side of the property to be the same level as the residential ground floors on the other side. The Stuart Street site has no slope except downwards towards the south, which only further complicates the situation. In addition, the structural decay of these facades, including both the masonry walls and the wood porches, would likely require complete dismantling and rebuilding, with extensive new materials - not a legitimate form of conservation. Unlike facades of cut stone, facades of brick cannot be dismantled and rebuilt without losing both their aesthetic and structural integrity.

**4. PROPOSED TIMELINE:**

Queen's University is applying for a demolition permit for the building at this time, in order to put an end to the substantial carrying costs and inherent public safety risks of maintaining a decaying, vacant property with no feasible future as an institutional building. Temporary fencing has had to be installed around portions of the building to protect the public from unstable areas of the exterior envelope.

Once this complex is demolished, The University will be developing plans for the demolition of the LaSalle Building and the creation of a combined development site for a significant institutional building.

In the interim, the University will landscape the property and create a green space to enhance this area of campus. Both the interim landscaping and the eventual redevelopment of this and the adjacent site will be discussed in detail with City of Kingston planning staff.

The University believes the demolition of the old Film Studies Building and the eventual redevelopment of this and the LaSalle property are consistent with both the general and specific goals set out in the 2014 Campus Master Plan.



96 Albert Street



144 Albert Street



20-24 Barrie Street



**172-174 Barrie Street**