



**City of Kingston
Report to Heritage Kingston
Report Number HK-19-036**

To: Chair and Members of Heritage Kingston
From: Lanie Hurdle, Acting Chief Administrative Officer
Resource Staff: Paige Agnew, Director, Planning, Building & Licensing Services
Date of Meeting: July 17, 2019
Subject: Application for Heritage Permit under the *Ontario Heritage Act*
Address: 53 King Street East (P18-177)
File Number: P18-042-2019

Executive Summary:

The subject property is located at 53 King Street East at the corner of King Street East and Maitland Street, south of City Park. The property contains a symmetrical stone dwelling constructed in 1841 (Exhibit A - Site Photographs). The subject property is designated under Part IV of the *Ontario Heritage Act* and under Part V as part of the Old Sydenham Heritage Conservation District.

An application for alteration under Section 42 of the *Ontario Heritage Act*, File Number P18-042-2019, has been submitted to request approval to replace and repair the mortar joints as the existing Portland cement-based material is causing moisture issues. The applicant wishes to gain approval to remove the existing Portland cement and replace it with hydraulic lime mortar. One hundred percent of the main dwelling's mortar joints will be raked and repointed. The property also contains a later addition (carriage house) which will not be included in the repairs as repointing of the carriage house was completed in 2016. The applicant has also highlighted that isolated stone replacement using local Kingston Limestone will be undertaken as required, although this is expected to be a small quantity, and that all chimneys will be inspected and repointed.

Masonry repair and repointing is a normal cyclical form of maintenance for stone of this vintage and is encouraged to help to conserve this valued heritage building. The works will be undertaken in accordance with the City's Policy on Masonry Restoration and the Old Sydenham Heritage Area Heritage Conservation District Plan.

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A letter from Edgewater Stonemasons detailing the proposed scope of work has been included in the submission (Exhibit B - Proposed Work).

This application was deemed complete on June 7, 2019. 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 September 5, 2019.

Recommendation:

That Heritage Kingston supports Council's approval of the following:

That alterations to the property at 53 King Street East, be approved in accordance with the details described in the application (File Number P18-042-2019) which was deemed complete on June 7, 2019, with said alterations to include the masonry work of raking and repointing mortar joints, isolated stone replacement using local Kingston Limestone and the repointing and inspection of the chimneys; and

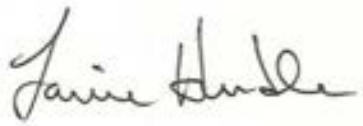
That the approval of the alterations be subject to the following conditions:

1. The existing stone pattern be retained through the repointing, with as much retention and reuse of stones as is possible and in accordance with prudent construction practice;
2. All masonry work shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings; and
3. A service request to Utilities Kingston shall be conducted if work cannot be completed safely or if clearance cannot be maintained from nearby hydro lines.

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Authorizing Signatures:



**Lanie Hurdle, Acting Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Peter Huigenbos, Acting Commissioner, Community Services	Not required
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required
Sheila Kidd, Commissioner, Transportation & Public Works	Not required
Deanne Roberge, Acting Commissioner, Corporate Enterprise Services	Not required

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

The subject property contains a two-and-a-half-storey, Kingston Limestone dwelling and large carriage house on the south side of King Street East in the Old Sydenham Heritage Conservation District.

According to the report prepared by the applicant's stone mason Edgewater Stone Masons (Exhibit B - Proposed Work), "repair work centers primarily around removal of the Portland cement and replacement with hydraulic lime mortar. 100% of mortar joints on the stonework of the main residence will be raked and repointed (the later addition is not included). Isolated stone replacement using local Kingston Limestone will be undertaken as required, although this is expected to be a small quantity. All chimneys will be inspected and repointed."

An application for alteration under Section 42 of the *Ontario Heritage Act*, File Number P18-042-2019, has been submitted for the repairs. All submission materials 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, or submission materials may also be found by searching the file number.

This application was deemed complete on June 7, 2019. 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 September 5, 2019.

Reasons for Designation

The subject property was designated under Part IV of the *Ontario Heritage Act* in 1984 through Designation By-Law Number 84-65. It is also designated under Part V of the Act being in the Old Sydenham Heritage Conservation District. The Reason for Designation in the by-law reads:

"Built in 1841 for Mrs. Henry Murney, this symmetrical stone dwelling is, in the simplicity of its design, a contrast to the other buildings in this streetscape."

Cultural Heritage Analysis

The subject property is located on the corner of King Street East and Maitland Street, in the Old Sydenham Heritage Conservation District, within the King Street Corridor sub-area, which notes "buildings that form a strong street edge" and "surviving examples of historic landscape features such as stone walls" as important heritage attributes of this sub-area and the District.

Masonry repair and repointing is a normal cyclical form of maintenance for stone of this vintage and is encouraged to help to conserve this valued heritage building. As an integral component of the built heritage character of the property as a whole, the proposed works to repair the stone walls will improve longevity of the site by restricting water penetration into the structure. The works will be undertaken in accordance with the City's Policy on Masonry Restoration and the Old Sydenham Heritage Area Heritage Conservation District Plan. The repointing of the mortar meets the policies of Section 4.3.2 of the District Plan, which notes that "the repointing of brick and stone masonry should match the colour and be of the appropriate type and mixture that will

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not damage the masonry material. Additionally it states that the “replacement stone should match the original as closely as possible”. Staff supports the proposed work as it will conserve a prominent element of the streetscape, which contributes to the character of the property and area.

Old Sydenham Heritage Conservation District Plan

Section 1.0

This section does not directly apply to the evaluation of this proposal. Section 1.0 provides an introduction and history to the designation of the Old Sydenham Heritage Conservation District (HCD), an explanation of what an HCD is, describes the contents of an HCD Plan, provides the legislative background for an HCD designation and lastly highlights the benefits of HCD designation.

Section 2 (Statement of Objectives)

Section 2.2 provides a Statement of Cultural Heritage Value or Interest for the entire District. This statement includes a value statement as well as a list of heritage attributes, which are those physical components of the District that express its cultural heritage value. In assessing the impact of this application on the District, the key question that staff must answer is whether the proposed alterations conserve the District’s heritage attributes or whether they will have a negative impact.

The following is a list of the heritage attributes of relevance to this proposal; a full list of the District’s attributes can be found in Section 2.2 of the District Plan:

The District:

- Varied ages, styles and types of buildings, with both vernacular and architect-designed examples of over two centuries of architectural styles;
- A compact scale comprised of street width, building height (predominantly 2 to 3 storeys) and setback;
- A generally high standard of care for buildings and landscapes; and
- Physical evidence and historical associations with every stage of Kingston’s history.

Section 2.5 (Designation Goals and Objectives) speaks to the goals and objectives for the District as a whole, Heritage Buildings, Landscapes and Streetscapes, and Land Use. The application supports the goals as presented in the District Plan, specifically in relation to the goals for Heritage Buildings (2.5.2), which states: “conserving heritage buildings or structures by using the accepted principles and standards for heritage conservation, as outlined in the plan” and “... to remove incompatible past alterations made to heritage buildings”.

Lastly, this proposal complies with the policies for the District and Heritage Buildings as outlined in Sections 2.6.1 and 2.6.2. The proposal will maintain the distinct heritage character of Old Sydenham and the alterations proposed in this application are being undertaken in accordance with the policies and guidelines of the District Plan.

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Section 4.0

Section 4 of the Old Sydenham Heritage Area Heritage Conservation District Plan establishes a policy framework for "Building Conservation". Section 4.3.2 (Exterior Walls- Brick and Stone) speaks to alterations and repairs to exterior walls. The policy explains that the re-pointing of brick and stone masonry should match the colour and be of the appropriate type and mixture that will not damage the masonry material. The proposal has been reviewed and will indeed uphold this policy. Additionally, the policy highlights that in terms of source and profiling replacement stone should match the original as closely as possible. The stone mason performing the works has noted that isolated stone replacement using local Kingston Limestone will be undertaken and is therefore consistent with this policy.

The proposal has been considered against the City of Kingston's Policy on Masonry Restoration in Heritage Buildings and it has been determined that the Masonry Policy will be upheld by the project.

Conclusion

In summary, the proposed alterations will improve the appearance of the subject property, while not detracting from the heritage attributes or cultural heritage value of this part of the Old Sydenham Heritage Conservation District. Staff supports the permit application (File Number P18-042-2019), subject to the conditions outlined herein, as there are no objections from a built heritage perspective and no significant concerns have been raised by the relevant internal departments.

Heritage Planning staff are of the opinion that the proposal, as modified, conforms to the intent, goals and policies of the HCD Plan and will uphold the heritage conservation objectives set out within the City of Kingston's Official Plan, the Ministry of Tourism, Culture and Sports' eight guiding principles in the conservation of built heritage properties, and Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada. Broadly, the application will:

- Achieve the goal of Section 7.0 - (City of Kingston Official Plan): Conserve and enhance built heritage resources within the city so that they may be accessed, experienced and appreciated by all residents and visitors, and retained in an appropriate manner and setting, as a valued public trust held for future generations.
- Achieve Principle Number 4 - (HCD Plan): Respect for the original fabric: As removing the Portland cement and replacing it with hydraulic lime mortar will increase the buildings longevity and decrease moisture issues.
- Achieve Standards 9 and 12 - (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Make any interventions needed to preserve character-defining elements physically and visually compatible with the historic place. Create new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

Previous Approvals

P18-177-146-2010EA

Emergency restoration of four chimneys on the existing dwelling, repointing, of the east, west and south wall of the existing dwelling

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and repointing/masonry replacement of portions of the carriage house.

P18-177-030-2016 Masonry work, Repoint mortar joints on North, South, and East face of carriage house. Minor stone replacement as required.

Comments from Departments and Agencies

This application was circulated to a number of internal departments who provided the following comments:

Building Division: No comments

Engineering Department: No comments

Kingston Hydro: The applicant is reminded that all objects/tools etc. must maintain a safe clearance from the service lines. If work cannot be completed safely or if clearance cannot be maintained from the lines, the applicant will need to complete a service request and submit to Utilities Kingston for isolation of the power lines.

Planning Division: No Concerns. The subject property is designated 'Residential' in the City's Official Plan. It is zoned One-Family Dwelling and Two-Family Dwelling Zone 'A' in Zoning By-Law Number 8499. None of the applicable zone provisions will be impacted by the proposal.

Utilities Kingston: No comments

Consultation with Heritage Kingston

Heritage Kingston was consulted on this application through the Development and Services Hub (DASH) system. No responses or comments were received.

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)
City of Kingston Official Plan
By-Law Number 84-65 – Designation By-Law for 53 King Street East
Old Sydenham Heritage Area Heritage Conservation District Plan
City of Kingston's Policy on Masonry Restoration on Heritage Buildings

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.

Accessibility Considerations:

Not applicable

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Financial Considerations:

Not applicable

Contacts:

Sukriti Agarwal, Acting Project Manager 613-546-4291 extension 3217

Vanessa Smith, Planner, Heritage 613-546-4291 extension 3251

Other City of Kingston Staff Consulted:

The application was circulated to a number of internal departments for review and all comments have been incorporated.

Exhibits Attached:

- | | |
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| Exhibit A | Site Photographs |
| Exhibit B | Proposed Work |
| Exhibit C | Correspondence from Heritage Kingston |
| Exhibit D | Summary of Final Comments from Heritage Kingston |

Photographs of 53 King Street East



Figure 1: North wall of subject property



Figure 2: Northeast corner of subject property



Figure 3: East wall of subject property

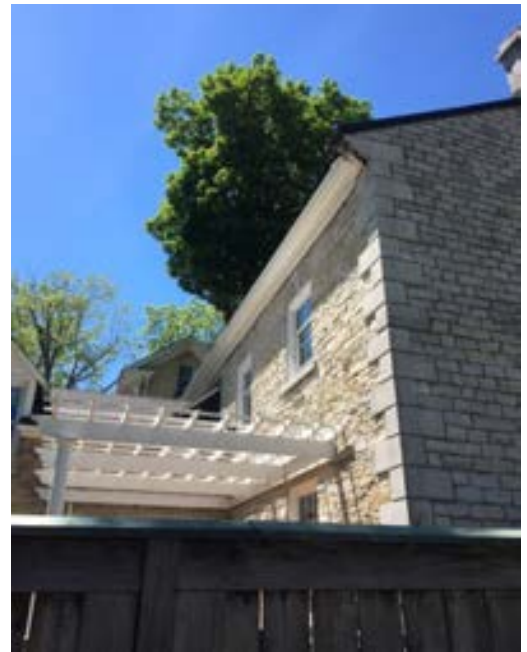


Figure 4: Southeastern corner/wall of subject property

Photographs of 53 King Street East



Figure 5: West wall of subject property



Figure 6: North wall of subject property



Figure 7: Northwest wall of subject property



53 King Street East Current Condition

The coursed and random rubble stonework at 53 King Street East, has, in its entirety, been repointed with Portland cement-based material. This impermeable, high compressive strength material has interfered with proper functioning of the building fabric, primarily in its ability to absorb and evaporate moisture, and to accommodate movement through the mortar joints.

Despite the long term effects of this mortar, the majority of the stonework looks to be in good condition. There is little evidence of issues associated with retained moisture, such as bulging sections, displacement of stones, or erosion/ deterioration in the stonework itself.

Proposed Scope of Work

Repair work centers primarily around removal of this Portland cement and replacement with hydraulic lime mortar. 100% of mortar joints on the stonework of the main residence will be raked and repointed (the later brick addition is not included). Isolated stone replacement using local Kingston Limestone will be undertaken as required, although this is expected to be a small quantity.

All chimneys will be inspected and repointed.









Heritage Kingston

Summary of Input from the Technical Review Process

P18-042-2019

Heritage Kingston Members	Comments Enclosed	No Comments Provided	No Response Received
Chair, Peter Gower	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councillor Bridget Doherty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councillor Jim Neill	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jane McFarlane	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Donald Taylor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jennifer Demitor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Matthew McCartney	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zoe Harris	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ashley Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
William Hineman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jeremy St-Onge	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Summary of Final Comments at July 17, 2019 Heritage Kingston Meeting

Mr. Kelley Hineman stated that the repointing will be a significant improvement to the property.