



**City of Kingston  
Report to Heritage Kingston  
Report Number HK-16-048**

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**To:** Chair & Members of Heritage Kingston  
**From:** Lanie Hurdle, Commissioner, Community Services  
**Resource Staff:** Paige Agnew, Director, Planning, Building & Licensing Services  
**Date of Meeting:** November 2, 2016  
**Subject:** Application for Heritage Permit to Demolish under the *Ontario Heritage Act*  
**Address** 411 Wellington Street (P18-520)  
**File Number** P18-078-2016

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**Executive Summary:**

The subject property at 411 Wellington Street is located on the north side of Wellington Street, in Barriefield, and is the location of the former J.E. Horton Public School. The property contains the two storey brick and concrete school, built in 1953, and two wooden portables. It is located within the Barriefield Heritage Conservation District, which is designated pursuant to Part V of the *Ontario Heritage Act*. The proposed scope of work includes the complete removal of all buildings on site.

An application for Demolition under Section 42 of the *Ontario Heritage Act* (File Number P18-078-2016) has been submitted to request approval to demolish all existing buildings on the property.

The applicant is proposing to redevelop the site. The new construction will be subject to a future application for Heritage Act approval.

Staff recommends approval of this application, subject to the conditions outlined herein.

All submission materials are available online through the Development and Services Hub (DASH) at, [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.

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This application was deemed complete on September 27, 2016. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to demolish a heritage building under Section 42(4). This timeframe will expire on December 26, 2016.

**Recommendation:**

**That** it be recommended to Council that the demolition of the former J.E. Horton School building and portables at 411 Wellington Street, be approved in accordance with details described in application P18-078-2016, which was deemed complete on September 27, 2016; and

**That** the demolition approval be subject to the following five conditions:

- a) All requirements be provided in order to obtain the necessary demolition permit(s), including Fire Code compliance;
- b) All necessary precautions pertaining to hazardous materials be taken prior to demolition;
- c) All necessary road cut permits be obtained;
- d) Any trees within the vicinity of the demolition activity be protected and a tree preservation plan/tree permit, be provided/obtained as necessary; and
- e) Any necessary approvals from Utilities Kingston, pertaining to the abandonment of existing services, be obtained.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

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**Lanie Hurdle, Commissioner, Community Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

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**Gerard Hunt, Chief Administrative Officer**

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

Denis Leger, Commissioner, Corporate & Emergency Services	Not required
Jim Keech, President and CEO, Utilities Kingston	Not required
Desiree Kennedy, Chief Financial Officer & City Treasurer	Not required

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

The subject property at 411 Wellington Street is located on the north side of Wellington Street, in the Barriefield Heritage Conservation District (HCD). It contains the former J.E. Horton Public School facility, including a two storey brick and concrete school building, built in 1953 with additions added in 1968 (Exhibit A – Property Photographs). Two single-storey wooden portables and play equipment are also proposed to be removed.

The Property Inventory, Appendix A to the new Village of Barriefield HCD Plan, classifies the existing buildings as “non-heritage” for the purposes of the conservation policies and guidelines of the District Plan. The existing school building is not included in the Statement of Cultural Heritage Value (Section 2.0) of the District Plan. The subject buildings are not noted in the 1992 District Plan.

An application for alteration under Section 42 of the *Ontario Heritage Act* (File Number P18-078-2016) has been submitted to request approval to demolish all of the existing buildings on the property.

All submission materials are available online through the Development and Services Hub (DASH) at, [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 September 27, 2016. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to demolish a heritage building under Section 42(4). This timeframe will expire on December 26, 2016.

**Reasons for Designation**

The subject property is included within the boundary of the Barriefield HCD, designated under Part V of the *Ontario Heritage Act* in 1981. As per the Property Inventory Evaluation, these buildings are noted as “non-heritage” (Exhibit B – Property Inventory). Section 2.0 of the new Village of Barriefield HCD Plan outlines the cultural heritage value of the District; the buildings on the subject property are not specifically noted.

**Previous Approvals**

P18-520-071-2013    Removal of two portables

P18-520-051-2013    Removal of sun-shelter structure

P18-520-062-2010    Addition of a portable

**Comments from Agencies and Business Units**

The following internal departments have commented on this application:

Building Division: The following information is required to be submitted with the application for a Permit to Construct or Demolish:

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1. A current plan of survey or site plan indicating dimensions of property and lot size; and location of building to be demolished and all other buildings on the lot.
2. Verification that a Designated Substance Report has been completed.
3. Written confirmation that the site will be backfilled and graded with clean fill and that all private drain connections will be excavated and properly sealed at the property line.
4. Verification of Health Unit approval from Kingston Public Health.
5. Verification services have been removed.
6. Permission under the *Heritage Act* will be required prior to the issuance of a demolition permit for this building.
7. Completed Commitment to General Review form by the retained professional engineer to undertake the general review of the project during demolition.

Engineering Department: If services are to be abandoned at mains for demolition, a road cut permit will be required from the Engineering Department.

Environment Division: In order to protect workers and the public, the proponent should be notified that in accordance with Section 30 of the *Ontario Occupational Health and Safety Act*, Designated Substances and other potentially hazardous building materials must be identified prior to construction or demolition that may disturb such materials. A copy of the assessment report must be provided to the general contractor in advance of the initiation of the subject work, who in turn must submit the report to all subcontractors prior to the commencement of any demolition, construction or renovation work (as defined in the *Act*).

Forestry: Existing trees on site and in the immediate vicinity of the school will require Tree Preservation/Protection Fencing during demolition activities. A Tree Preservation Plan will accordingly be required by the City in support of the demolition permit. If tree removal is required to accommodate the demolition then a Tree Permit will be required by the City.

Fire and Rescue: Kingston Fire & Rescue have reviewed the request to demolish the existing structure. Prior to any demolition being undertaken, a demolition permit shall be obtained from the City of Kingston's Building Division. All demolition work shall be done in conformance with Part 8 of the Ontario Fire Code. Provision shall be submitted for review and approval to the Chief Fire Official for protective measures to be implemented to ensure the safety of the occupants and adjacent properties during demolition.

Utilities Kingston: Utilities Kingston has no concerns with the application for *Heritage Act* approval. It is understood that the applicant is currently working with Utilities Kingston to have the existing services abandoned at the main. This service abandonment needs to be completed before Utilities Kingston can provide sign off to the Building Division for the demolition.

### **Cultural Heritage Analysis**

The Village of Barriefield HCD Plan Inventory (Exhibit B) classifies these buildings as "non-heritage". A classification of non-heritage means that these particular structures, while located within the boundaries of the District, are not part of the defined cultural heritage character and value of the District. The current (1992) version of the Barriefield HCD Plan does not include policies regarding the demolition of non-heritage buildings. Once in effect, the new (2016)

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Barriefield HCD Plan will; however, require that applications for demolition within the context of the District be supported by plans which illustrate the anticipated redevelopment of the subject property. Until the new HCD Plan is in effect, the City is not in a position to require the submission of redevelopment plans for the site. It is understood that the applicants are in the process of evaluating options for the redevelopment of the property and that consideration is being given to the policies of both the 1992 and 2016 HCD Plans.

**Conclusion**

Staff recommends approval of the permit application (File Number P18-078-2016), subject to the conditions outlined herein, as there are no concerns from a perspective of built heritage, and no objections were raised by the relevant internal departments.

**Existing Policy/By-Law:**

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

By-Law Number 2013-141 Procedural By-Law for Heritage

Village of Barriefield Heritage Conservation District Plan (August 2016)

**Notice Provisions:**

Pursuant to Sections 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

**Financial Considerations:**

Not applicable

**Contacts:**

Paige Agnew, Director, Planning, Building & Licensing Services 613-546-4291 extension 3252

Marine Venditti, Manager, Development Approvals 613-546-4291 extension 3256

Ryan Leary, Senior Planner, Heritage 613-546-4291 extension 3233

**Other City of Kingston Staff Consulted:**

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

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**Exhibits Attached:**

Exhibit A Property Photographs

Exhibit B Property Inventory

Photographs of Building – 411 Wellington Street







**Name:**

**Address:** 411 Wellington Street

**Property Number:**  
1011090090075000000

**Lot:** CON EGCR E PT LOT 20



<b>Property Type:</b>	Institutional
<b>Era/Date of Construction:</b>	1953
<b>Architect/Builder:</b>	Not known
<b>Building style/Influence:</b>	Mid-century modern
<b>Materials:</b>	Brick
<b>Number of Bays:</b>	Multiple
<b>Roof Type</b>	Flat
<b>Building Height:</b>	Two storey
<b>Alterations:</b>	1968 rear addition, portables added (1993-2010), sun shelter added (2003), garbage enclosure constructed (1993), fencing added (1992/2004).
<b>Landscape/setting:</b>	Large open lawn, Specimen trees, Front screening hedges, asphalt drive
<b>Heritage Value:</b>	Non-heritage

### **Description of Historic Place:**

The property at 411 Wellington Street is located on the north side of Wellington Street in the Barriefield Heritage Conservation district. The property contains a two storey T-shape brick building with multiple bays. The school was constructed in 1953 and added to in 1968. It closed in 2014.

### **Heritage Value:**

The former J.E. Horton Public School was constructed in 1953, on land purchased by the School Board from His Majesty the King in 1951. The land was granted by the Crown to John Grant in 1811. James Grant, likely a descendant, sold an acre of the property to Richard Davis in 1818, and 97 acres to Robert Moore in 1819. In 1828 Davis sold 1/5 of an acre to Moore. At some point, Robert MacDonald came to own 125 acres of the lot (instruments not shown in land registry records) but in 1844 sold the land to the Ordnance department. An 1842 map shows the north part of the lot and the part of the adjacent lot where the church was built as a possible location of a military redout. It

does not appear that this was ever constructed. In 1855, a lime kiln operation was reportedly located on the property. Aside from small severances, the property was owned by the Crown from 1844 until the mid-20<sup>th</sup> century purchase by the school board. The school served Barriefield and the surrounding area of the former Pittsburgh Township until 2014 when it was declared surplus by the school board and closed.