



City Council Meeting 26-2023

Tuesday, October 3, 2023 at 6:00 pm
in the Council Chamber at City Hall.

Council will resolve into the Committee of the Whole
“Closed Meeting” and will reconvene
as regular Council at 7:00 pm.

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Agenda
Tuesday, October 3, 2023

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(Council Chamber)

Call Meeting to Order

Roll Call

The Committee of the Whole “Closed Meeting”

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:
 - a. Labour relations or employee negotiations – Ontario Nurses’ Association Mandate;
 - b. Labour relations or employee negotiations – Canadian Union of Public Employees (CUPE), Local 109 – Collective Bargaining; and
 - c. A proposed or pending acquisition or disposition of land by the municipality or local board - Proposed Property Acquisition for Municipal Facility – 2685 Creekford Road.

Approval of Addeds

Disclosure of Potential Pecuniary Interest

Presentations

Delegations

Briefings

Petitions

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery

Motions of Congratulations, Recognition, Sympathy, Condolences and Speedy Recovery are presented in order of category as one group and voted on as one motion.

Deferred Motions

Reports

Report Number 80: Received from Kingston Heritage Properties Committee

Report Number 80

To the Mayor and Members of Council:

Kingston Heritage Properties Committee reports and recommends as follows:

All items listed on this Committee Report shall be the subject of one motion. Any member may ask for any item(s) included in the Committee Report to be separated from that motion, whereupon the Report of the Committee without the separated item(s) shall be put and the separated item(s) shall be considered immediately thereafter.

1. Notice of Intention to Designate under the Ontario Heritage Act as amended by the Kingston Heritage Properties Committee on September 20, 2023

That Council direct staff to serve a Notice of Intention to Designate the property located at 160 Belmont Avenue, known as the Everitt-Miller 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 HP-23-030; 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, the Designation By-Law for 160 Belmont Avenue, known as the Everitt-Miller House, attached as Exhibit B (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 2518 Highway 38, known as the Robert Gibson Jr. Farm Complex, 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 HP-23-030; 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, the Designation By-Law for 2518 Highway 38, known as the Robert Gibson Jr. Farm Complex, attached as Exhibit C (**as amended in**

Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 2643 Bur Brook Road, known as the Jackson Mills Schoolhouse, 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 HP-23-030; 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, the Designation By-Law for 2643 Bur Brook Road, known as the Jackson Mills Schoolhouse, attached as Exhibit D **(as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features)** to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 344-350 Bagot Street, known as the Artillery Park Barracks, 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 HP-23-030; 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, the Designation By-Law for 344-350 Bagot Street, known as the Artillery Park Barracks, attached as Exhibit E **(as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features)** to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 35 Johnson Street, known as the Lynch 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 HP-23-030; 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, the Designation By-Law for 35 Johnson Street, known as the Lynch House, attached as Exhibit F (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 53 Princess Street and 365-369 King Street East, known as the Millan Building, 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 HP-23-030; 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, the Designation By-Law for 53 Princess Street and 365-369 King Street East, known as the Millan Building, attached as Exhibit G (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 771 Kingston Mills Road, known as the Burrowes 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 HP-23-030; 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, the Designation By-Law for 771 Kingston Mills Road, known as the Burrowes House, attached as Exhibit H (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 78-86 Princess Street, known as the Orange Hall building, 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 HP-23-030; 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, the Designation By-Law for 78-86 Princess Street, known as the Orange Hall building, attached as Exhibit I (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 85 Princess Street 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 HP-23-030; 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, the Designation By-Law for 85 Princess Street, attached as Exhibit J (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

That Council direct staff to serve a Notice of Intention to Designate the property located at 67 Kensington Avenue, known as the Burr 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 HP-23-030; 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, the Designation By-Law for 67 Kensington Avenue, known as the Burr House, attached as Exhibit K (**as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the references to interior features**) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

(Exhibits A – K to Report Number HP-23-030 are attached to the agenda as schedule pages 1 – 49)

Committee of the Whole

Information Reports

1. Top Five Staff Recommended Provincial Housing Affordability Task Force Recommendations

The purpose of this report is to provide staff's feedback on the top five recommended Housing Affordability Task Force recommendations for Mayor Paterson's consideration when providing a response to The Honourable Paul Calandra, Minister of Municipal Affairs and Housing.

(The Report of the Commissioner, Growth & Development Services (23-245) is attached to the agenda as schedule pages 50 – 60)

Information Reports from Members of Council

Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

1. Moved by Councillor Stephen

Seconded by Councillor Cinanni

That as requested by Sylvia Harnarain, Canadian Premature Babies Foundation, City Council proclaim November 17, 2023 to be "World Prematurity Day" in the City of Kingston.

(See Communication 26-898)

2. Moved by Councillor Ridge

Seconded by Councillor Glenn

That the resignation of Peter O'Hare from the Committee of Adjustment be received with regret; and

That in accordance with Section 3.3.2 d. of the Public Appointment Policy, Douglas Perkins be appointed from the reserve pool to the Committee of Adjustment for a term ending November 15, 2026.

(See Communication 26-912)

3. Moved by Councillor Osanic

Seconded by Councillor Chaves

That the resignation of Aniz Kheraj from the Committee of Adjustment be received with regret; and

That in accordance with Section 3.3.2 d. of the Public Appointment Policy, Jeff Scott be appointed from the reserve pool to the Committee of Adjustment for a term ending November 15, 2026.

(See Communication 26-915)

4. Moved by Councillor Cinanni

Seconded by Councillor Tozzo

That the resignation of David Morton from the Committee of Adjustment be received with regret; and

That in accordance with Section 3.3.2 d. of the Public Appointment Policy, Gaurav Rehan be appointed from the reserve pool to the Committee of Adjustment for a term ending November 15, 2026.

(See Communication 26-917)

5. Moved by Councillor Oosterhof

Seconded by Councillor Hassan

That as requested by Maya Sharma, Canadian Lung Cancer Screening Initiative, City Council proclaim November 2023 to be “Lung Cancer Awareness Month” in the City of Kingston.

(See Communication 26-918)

New Motions

1. Moved by Councill Glenn

Seconded by Councillor Ridge

Whereas Fotenn Consultants Inc., on behalf of Amber Peak Developments, has submitted an application for Minor Variance (D13-050-2023) and Site Plan Control

(D11-019-2023) for the properties municipally known as 390 and 386 Johnson Street and 40 Aberdeen Street to construct a 6 storey 45-unit building; and

Whereas By-Law Number 2006-75 allows for a member of Council to make a notice of motion through Council that an application for site plan control approval be referred to planning committee for review;

Therefore Be It Resolved That the Application for Site Plan Control approval from Fotenn Consultants Inc., on behalf of Amber Peak Developments, for the properties municipally known as 390 and 386 Johnson Street and 40 Aberdeen Street, outlined in File Number D11-019-2023, be 'bumped-up" to the Planning Committee.

2. Moved by Councillor Glenn

Seconded by Councillor Stephen

Whereas the City of Kingston wishes to augment the harm reduction strategies being put into place by the Queen's University Alma Mater Society (AMS) during various Fall 2023 events;

Therefore Be It Resolved That Council waive Section 8 of Schedule R-1 to By-Law Number 2006-213, A By-law to License, Regulate and Govern Certain Businesses, with respect to licensed refreshment vehicles participating in AMS events at locations approved by the City to extend the business hours for such refreshment vehicles to 2 a.m. during the designated periods of the University District Safety Initiative between October 14 to November 1, 2023; and

That Council authorize the Director of Licensing & Enforcement, or their delegate, to revoke any exemption granted and/or impose any terms or conditions on an exemption, where deemed necessary, in their reasonable opinion.

Notices of Motion

Minutes

That the Minutes of City Council Meeting Number 24-2023, held Tuesday, September 19, 2023 be confirmed.

(Distributed to all Members of Council on September 29, 2023)

Tabling of Documents

2023-48 Kingston Police Services Board Meeting Number 23-11 Agenda. The meeting is scheduled for Thursday, September 21, 2023 at 12:00 pm at the Kingston Police Headquarters.

(Distributed to all members of Council on September 15, 2023)

2023-49 Kingston Police Services Board Meeting Minutes. The meeting was held Thursday, July 20, 2023 at 12:00 pm, hosted at Kingston Police Headquarters.

(Distributed to all members of Council on September 15, 2023)

2023-50 Kingston Police Services Board Meeting Addendum. The meeting is scheduled for September 21, 2023.

(Distributed to all members of Council on September 19, 2023)

2023-51 Kingston & Frontenac Housing Corporation Agenda 06-2023. The meeting is scheduled for September 25, 2023 at 12:30 pm in the KFHC Board Room.

(Distributed to all members of Council on September 21, 2023)

2023-52 Cataraqui Conservation Full Authority Board Meeting Agenda. The meeting is scheduled for September 27, 2023 at 6:45 pm in a hybrid format.

(Distributed to all members of Council on September 21, 2023)

Communications

That Council consent to the disposition of Communications in the following manner:

Filed

26-903 County of Frontenac Notice of Public Meeting with respect to Official Plan Amendment. The meeting is scheduled for October 4, 2023 at 10:00 am at the Township of South Frontenac Council Chambers, dated September 14, 2023.

(Distributed to all members of Council on September 15, 2023)

26-913 Notice of a Public Meeting with respect to Proposed Zoning By-Law Amendment at 1300, 1310, 1330 & 1350 Bath Road. The meeting is scheduled for October 11, 2023 at 6:00 pm in a hybrid format.

(Distributed to all members of Council on September 20, 2023)

26-917 Notice of a Public Meeting with respect to Proposed Zoning By-Law Amendment at 170-174 Earl Street. The meeting is scheduled for October 11, 2023 at 6:00 pm in a hybrid format.

(Distributed to all members of Council on September 21, 2023)

Referred to All Members of Council

26-898 Proclamation Request Application received from Sylvia Harnarain, Canadian Premature Babies Foundation, requesting Council proclaim November 17, 2023 as “World Prematurity Day” in Kingston, dated September 12, 2023.

(Distributed to all members of Council on September 13, 2023)

26-899 Resolution received from the City of Hamilton with respect to Request to Abandon Greenbelt Development, dated September 11, 2023.

(Distributed to all members of Council on September 13, 2023)

26-900 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated September 14, 2023.

(Distributed to all members of Council on September 14, 2023)

26-901 Correspondence received from Peter and Tatiana Toledo De Clarke with respect to "RGI Unit upon death of a spouse residing in a market unit building that combine both market rent and RGI rental units", dated September 14, 2023.

(Distributed to all members of Council on September 14, 2023)

26-902 Resolution received from the Town of Bracebridge with respect to “Time for Change – Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)”, dated September 15, 2023.

(Distributed to all members of Council on September 15, 2023)

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26-906 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update – Toronto New Deal and Housing Affordability Task Force Responses, dated September 19, 2023.

(Distributed to all members of Council on September 19, 2023)

26-907 Correspondence received from Rural Ontario Municipal Association with respect to ROMA Board – August Highlights, dated September 19, 2023.

(Distributed to all members of Council on September 19, 2023)

26-908 Correspondence received from Federation of Canadian Municipalities with respect to FCM Voice: Historic HAF Investment, Board meeting update, Gender Equality Week, and more, dated September 18, 2023.

(Distributed to all members of Council on September 19, 2023)

26-911 Proclamation Request Application received from Andrea Howard, Canadian Centre for Women’s Empowerment, requesting November 26, 2023 be proclaimed “Economic Abuse Awareness Day” in the City of Kingston, dated September 16, 2023.

(Distributed to all members of Council on September 20, 2023)

26-912 Correspondence received from Peter O’Hare with respect to resignation from Committee of Adjustment, dated September 19, 2023.

(Distributed to all members of Council on September 20, 2023)

26-914 Resolution received from the City of Cambridge with respect to Declaring Intimate Partner Violence (IPV) an Epidemic, dated September 20, 2023.

(Distributed to all members of Council on September 20, 2023)

26-915 Correspondence received from Aniz Kheraj with respect to resignation from Committee of Adjustment, dated September 19, 2023.

(Distributed to all members of Council on September 20, 2023)

26-916 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated September 21, 2023.

(Distributed to all members of Council on September 21, 2023)

26-917 Correspondence received from David Morton with respect to resignation from Committee of Adjustment, dated September 23, 2023.

(Distributed to all members of Council on September 25, 2023)

26-918 Proclamation Request Application received from Maya Sharma, Canadian Lung Cancer Screening Initiative, requesting November 2023 be proclaimed "Lung Cancer Awareness Month" in the City of Kingston, dated September 24, 2023.

(Distribute to all members of Council on September 25, 2023)

26-919 Resolution received from the Town of Midland with respect to Catch and Release Justice in Ontario, dated September 8, 2023.

(Distributed to all members of Council on September 26, 2023)

26-920 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update, New Ministers and Transit Legislation, dated September 25, 2023.

(Distributed to all members of Council on September 26, 2023)

26-921 Correspondence received from Federation of Canadian Municipalities with respect to FCM Voice: FCM President at PTA conferences, new energy efficiency e-course, asset management policy development, dated September 25, 2023.

(Distributed to all members of Council on September 26, 2023)

26-922 Correspondence received from Rural Ontario Municipal Association with respect to ROMA 2024 Annual Conference: Closer to Home, dated September 25, 2023.

(Distributed to all members of Council on September 26, 2023)

Other Business

By-Laws

- a) **That** By-Laws (1) and (2) be given their first and second reading.
- b) **That** By-Laws (1) and (2) be given their third reading.

- 1) A By-Law to Amend By-Law Number 2022-62, "Kingston Zoning By-Law Number 2022-62" (Removal of Holding Overlay, 2952 6th Concession Road)

Three Readings
(Delegated Authority)

Proposed Number 2023-193

(See schedule pages 61 – 63)

- 2) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday, October 3, 2023

Three Readings
(City Council Meeting Number 26-2023)

Proposed Number 2023-194

Adjournment

-- Website Version--

**Notice of Intention to Pass a By-Law to Designate
The following properties 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 by-laws under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to designate the following lands to be of cultural heritage value and interest:

160 Belmont Avenue (Lot 328 Plan 1423; S/T FR175306, FR176468 former Township of Kingston; now City of Kingston, County of Frontenac):

Situated on a 740 square metre residential lot in the Henderson Place area on the corner of Belmont Avenue and Camberley Crescent, the property contains an excellent representative example of a vernacular stone house characteristic of early farmhouses in the area. The property also helps to define and maintain the former historic rural character of the area. Heritage attributes include the stone house, with symmetrical fenestration, gable roof, two chimneys and period windows.

2518 Highway 38 (Part Lot 3-4 Concession 5; Part 1, 13R19328; S/T TKU12460; City of Kingston, County of Frontenac), known as the Robert Gibson Jr. Farm Complex:

Located on a 2-hectare parcel on the north-east side of the road, the property contains an early 19th century two-storey Georgian influenced limestone farmhouse and several wooden and stone farm outbuildings. The property is associated with the Robert Gibson Jr., Township Reeve and longtime postmaster. Heritage attributes include the stone farmhouse, silo, two barns, and two small outbuildings.

2643 Bur Brook Road (Part Lot 10-11 Concession 4; Part 1 & 2, 13R2130; City of Kingston, County of Frontenac), known as the Jackson Mills Schoolhouse;

Located on a 0.3 hectare parcel on the south side of the road, the property contains a rare example of a limestone bank-house-style schoolhouse. The property is associated with the educational history of the area and operated for over 100 years as School Section No.13. Heritage attributes include the limestone building, built into a hill.

344-350 Bagot Street (Part Artillery Park ORIGINAL SURVEY KINGSTON CITY Part 1 13R13119; S/T FR677127; City of Kingston, County of Frontenac), known as the Artillery Park Barracks;

Situated on the west side of Bagot Street, north of Queen Street, at the terminus of Barrack Street, so named for the subject property. The property includes a well-crafted example of an early-19th century stone military personnel residence. The

property is associated with the Royal Regiment of Artillery, who were stationed here from 1815-1870 and constructed the present building in 1843. The property is directly linked to its surroundings, which include other surviving limestone former military buildings. Heritage attributes includes the two-storey military residence building.

35 Johnson Street (Part Lot 45 Original Survey Kingston City as in FR358046; City of Kingston, County of Frontenac; City of Kingston, County of Frontenac), known as the Lynch House;

Located on the north side of Johnson Street between Ontario and King Street East, the subject property includes a representative example of a 5-bay limestone building with Georgian influences built for both residential and commercial purposes. The property is associated with Daniel Lynch who constructed the building and both lived and operated the Anchor Hotel from it. Heritage attributes include the limestone dwelling with original openings and gable roof with corbels.

53 Princess Street and 365-369 King Street East (Part Lot 58 ORIGINAL SURVEY KINGSTON CITY as in FR399469, S/T FR399469, S/T DEBTS IN FR395307; now City of Kingston, County of Frontenac), known as the Quigley's Store;

Located on the prominent Princess and King Street East corner in downtown Kingston, Quigley's Store was built in 1877 and is a recognizable landmark in the City. It was designed by well-known architectural firm Power and Son and named after store owner James Quigley. The property also includes a small limestone building, built before 1865. Together, these buildings support the historic and eclectic commercial character of the area. Heritage attributes include the 3-storey brick corner building with various architectural detailing, and the one-storey limestone building.

67 Kensington Avenue (Lot 35 Plan 131 KINGSTON CITY S/T interest in FR613314; now City of Kingston, County of Frontenac), known as the Burr House;

Situated on a 700 square metre residential lot south of Union Street on the east side of Kensington Avenue, the subject property contains an unusually large example of the English Cottage style building. The building was designed by well-known architect William Newlands and is associated with Dr. Ronald Burr who was influential in the advancement of therapeutic radiology and was the first director of the Kingston Regional Cancer Centre. The Burr Wing at Kingston General Hospital is named in his honour. Heritage attributes include the two-and-a-half storey dwelling with dramatic bell-cast roof and various architectural detailing.

771 Kingston Mills Road (Part Lot 35-37 CON 4 Kingston as in FR477165 Except the Easement Therein; City of Kingston, County of Frontenac), known as the Burrowes House;

Situated on over 20 hectares, set well back from the road on a hill overlooking the Great Cataraqui River, the property contains an 1830s one-and-a-half storey Ontario vernacular limestone dwelling built for Thomas Burrowes, who was a prominent community figure, and who played an instrumental role in the construction of the Rideau Canal. Heritage attributes include the limestone dwelling with double-flighted entranceway staircase.

78-86 Princess Street (Part Lot 107 ORIGINAL SURVEY KINGSTON CITY; Part Lot 110 ORIGINAL SURVEY KINGSTON CITY; Part Lot 119 ORIGINAL SURVEY KINGSTON CITY Part 1 13R13826; S/T interest in FR290929; now City of Kingston, County of Frontenac), known as the Orange Hall; and

Located on the south side of Princess Street, between King Street East and Wellington Street and contains three distinct buildings of heritage value. The largest of the buildings is the 3 storey Orange Hall building, designed by Power and Son for the Grand Orange Lodge in 1866. The Orange Hall, together with the polychromatic brick building at 86 Princess Street, display a high degree of artistic merit in their architectural detailing. The Orange Hall is a landmark building, and together with the adjacent limestone building at 82 Princess, and the brick building at 86 Princess, supports and maintains the historic commercial character of downtown Kingston.

85 Princess Street (Part Lot 111 Original Survey Kingston City as in FR652624; now City of Kingston, County of Frontenac):

Located on the north side of Princess Street, between King Street East and Wellington Street, the property contains an early, well-crafted example of a brick residential building converted for multiple uses. The property is associated with the halting of a devastating fire in 1847 and is a landmark along Princess Street. Heritage attributes include the 3-storey brick building with unusual 24-pane Gothic arched windows.

Additional information, including a full description of the reasons for designation is available upon request from Ryan Leary, Senior Heritage Planner, Heritage Services at 613-546-4291, extension 3233, or at rleary@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

Janet Jaynes, Acting City Clerk

This XXX day of XXXX, 2023

City of Kingston

--- Newspaper Version--

**Notice of Intention to Pass a By-Law to Designate
The following properties 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 by-laws under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to designate the following lands to be of cultural heritage value and interest:

160 Belmont Avenue (Lot 328 Plan 1423 ; S/T FR175306,FR176468 former Township of Kingston; now City of Kingston, County of Frontenac);

2518 Highway 38 (Part Lot 3-4 Concession 5; Part 1, 13R19328; S/T TKU12460; City of Kingston, County of Frontenac), known as the Robert Gibson Jr. Farm Complex;

2643 Bur Brook Road (Part Lot 10-11 Concession 4; Part 1 & 2, 13R2130; City of Kingston, County of Frontenac), known as the Jackson Mills Schoolhouse;

344-350 Bagot Street (Part Artillery Park ORIGINAL SURVEY KINGSTON CITY Part 1 13R13119; S/T FR677127; City of Kingston, County of Frontenac), known as the Artillery Park Barracks;

35 Johnson Street (Part Lot 45 Original Survey Kingston City as in FR358046; City of Kingston, County of Frontenac; City of Kingston, County of Frontenac), known as the Lynch House;

53 Princess Street and 365-369 King Street East (Part Lot 58 ORIGINAL SURVEY KINGSTON CITY as in FR399469, S/T FR399469, S/T DEBTS IN FR395307; now City of Kingston, County of Frontenac), known as the Quigley's Store;

67 Kensington Avenue (Lot 35 Plan 131 KINGSTON CITY S/T interest in FR613314; now City of Kingston, County of Frontenac), known as Dr. Burr House;

771 Kingston Mills Road (Part Lot 35-37 CON 4 Kingston as in FR477165 Except the Easement Therein; City of Kingston, County of Frontenac), known as the Burrowes House;

78-86 Princess Street (Part Lot 107 ORIGINAL SURVEY KINGSTON CITY; Part Lot 110 ORIGINAL SURVEY KINGSTON CITY; Part Lot 119 ORIGINAL SURVEY KINGSTON CITY Part 1 13R13826; S/T interest in FR290929; now City of Kingston, County of Frontenac), known as the Orange Hall; and

85 Princess Street (Part Lot 111 Original Survey Kingston City as in FR652624; now City of Kingston, County of Frontenac).

Additional information, including a full description of the reasons for designation is available on the City of Kingston website at www.cityofkingston.ca/heritage and upon request from Ryan Leary, Senior Heritage Planner, Heritage Services at 613-546-4291, extension 3233, or at rleary@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

Janet Jaynes, Acting City Clerk

This XXX day of XXX, 2023

City of Kingston

City of Kingston By-Law Number 2023-XX

A By-Law to Designate 160 Belmont Avenue to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* on April 19, 2016;

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Everitt-Miller House at 160 Belmont Avenue (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation
Everitt-Miller House**

Civic Address: 160 Belmont Avenue
Legal Description: LT 328 PL 1423; S/T FR175306, FR176468 former
Township of Kingston; now City of Kingston, County of
Frontenac
Property Roll Number: 101108006007700

Introduction and Description of Property

160 Belmont Avenue, the Everitt-Miller House, is situated on the northeast corner of Belmont Avenue and Camberley Crescent, in the Henderson Place area, in the former Township of Kingston, now part of the City of Kingston. The property is approximately 740 square meters and contains a one-and-a-half-storey limestone residence, likely built circa 1860.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

160 Belmont Avenue is an excellent representative example of a vernacular limestone house characteristic of early farmhouses in the former Kingston Township. The one-and-a-half-storey unadorned limestone house has simple classical proportions that has been little altered. The gable roof features a chimney at each end. The house is constructed of limestone laid in even courses on the main (east) façade, and uneven courses on the rear and side elevations. The main (east) façade has five bays with central doorway in a symmetrical Georgian style, flanked by two sash windows with two-over-two glazing on each side. The south elevation has two-bay and two storeys, with the first storey exhibiting two twelve-over-twelve sash windows, and the second storey containing two smaller six-over-six sash windows (directly over the first storey windows). The west elevation is also symmetrical, featuring two sash windows in a twelve-over-twelve glazing pattern.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The property has contextual value because it is a landmark.

The original farm lot was granted to Loyalist John Everitt in 1798 and was deeded to Mercy Everitt in 1830. It is likely that she and husband John Miller had the stone farmhouse built around 1860.

The Everitt-Miller House has contextual value as it defines and maintains the former historic rural character of this area, which has been all but lost. Its distinctive stone architecture and prominent corner location make it a landmark in the Henderson Place area.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- One-and-a-half-storey house of limestone construction laid in even courses on the east façade, and uneven courses on the rear and side elevations; and
- Symmetrical fenestration, gable roof with two chimneys and various period windows including twelve-over-twelve and six-over-six examples.

By-Law Number. 2023-XX

A By-Law To Designate the Robert Gibson Jr. Farm Complex at 2518 Highway 38 to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

Passed: XXX, 2023

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* on April 19, 2016;

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 2518 Highway 38, known as the Robert Gibson Jr. Farm Complex (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes

City Clerk

Bryan Paterson

Mayor

Schedule “A”

Description and Criteria for Designation

Robert Gibson Jr. Farm Complex

Civic Address: 2518 Highway 38
Legal Description: Part Lot 3-4 Concession 5; Part 1, 13R19328; S/T
TKU12460; City of Kingston, County of Frontenac
Property Roll Number: 101108023020910

Introduction and Description of Property

The Robert Gibson Jr. Farm Complex at 2518 Highway 38, is located on the north-east side of the road, in the former Township of Kingston, now part of the City of Kingston. The property is approximately 2 hectares in size and contains a two-storey limestone house constructed between 1844 and 1852 as well as several wood and stone farm buildings.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

The Robert Gibson Jr. Farm Complex is an early 19th century two storey Georgian influenced limestone farmhouse with a symmetrical five-bay front façade. There is a central doorway on both storeys. The verandah on the front façade wraps around the south elevation and is held up by half-height stone pillars and wood columns. The verandah roof is broken by a small deck in front of the upper doorway. The limestone of the house is laid in even courses, and the building features a gable roof with one stone and one brick chimney. The chimneys are located at the ridge of the gable roof at opposite ends in the typical Georgian style. The north elevation has two window openings in the gable, two in the second storey and two offset window openings in the first storey. The rear one storey wing is constructed of limestone with a series of window and door openings, and an unusually tall brick chimney. All window and door openings have stone voussoirs, while the window openings have stone sills, and some have two-over-two windows.

The property also contains several farm buildings that are good representative examples of early farming practice in the area, including a concrete silo; one barn with a gable roof that has a tall limestone foundation with a wide carriageway and two window openings; one large barn with a gable roof that has a stone foundation with window and

large door openings; a one storey wood building with a brick chimney and wood laid horizontally on the exterior; and a one storey small stone outbuilding with gable roof that is located to the north of the house.

Historical/Associative Value

The Robert Gibson Jr. Farmstead is associated with the Gibson family. The house was constructed between 1844 and 1852. Robert Gibson Jr. purchased the east half of Lot 3, Concession 5 from his father, Robert Sr. in 1844 and by 1852, Gibson Jr. was living in the two-storey stone house with his wife Rosanna and children Ellen, Mary, Hannah and William. Robert Gibson was a significant person in the community. He was appointed Postmaster of Glenvale in 1858, a position he held for almost 40 years until his death in 1896. Glenvale had only one other postmaster in its history; H. Orser, successor to Gibson. For a time, Robert Gibson was Reeve of the Township of Kingston. Robert Gibson died November 20, 1896, of old age at age 81 and the property passed to his son John C. Gibson in 1897.

Contextual Value

The Robert Gibson Jr. Farmstead supports the historic rural character of Highway 38 and the community of Glenvale.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- Two storey limestone farmhouse, with five-bay front façade, including a central doorway on each storey;
- Gable roof with two gable-end chimneys;
- Stone voussoirs and sills on all window and door openings;
- Verandah that wraps around the front façade and south elevation which is supported by half-height stone pillars and wood columns;
- Rear one storey limestone wing, with tall brick chimney;
- The property also contains several farm buildings including:
 - A concrete silo;
 - One barn with a gable roof that has a limestone foundation, with a wide carriageway, two window openings and an upper storey of wood;
 - One large barn with the gable roof that has a stone foundation with window openings and large door openings;
 - One storey wood building with a brick chimney and wood exterior with boards laid horizontally; and
 - One storey small stone outbuilding with gable roof located to the north of the house.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- Other outbuildings not noted herein

By-Law Number. 2023-XX

A By-Law To Designate the Jackson Mills Schoolhouse at 2643 Bur Brook Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

Passed: XXX, 2023

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* on April 19, 2016;

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as [insert address] (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes

City Clerk

Bryan Paterson

Mayor

Schedule “A”

Description and Criteria for Designation

Jackson Mills Schoolhouse

Civic Address: 2643 Bur Brook Road
Legal Description: Part Lot 10-11 Concession 4; Part 1 & 2, 13R2130; City of Kingston, County of Frontenac
Property Roll Number: 101108023025330

Introduction and Description of Property

The Jackson Mills Schoolhouse, located at 2643 Bur Brook Road, is located on the south side of the road on a hillside, in the former Township of Kingston, now part of the City of Kingston. The property is approximately 0.3 hectares and contains a one storey limestone former schoolhouse constructed in 1855.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

The Jackson Mills Schoolhouse is a representative example of a one-storey limestone schoolhouse and a rare example of bank house construction for a school. Typical of this style is the medium-pitch front gable and symmetrical front façade, with a central entranceway flanked by window openings. The side elevations are two-bay. Unusual is the construction of the building into a hillside with a lower story accessible from the rear, now concealed by a later rear addition. A stone chimney at the rear was added after 1960, the original red brick chimney was removed after 1991. The limestone is laid in regular courses. Masonry embellishments can be seen in the stone voussoirs on the entranceways and window openings of the front façade.

Historical/Associative Value

The Jackson Mills Schoolhouse is associated with the Gibson family and as part of the educational tradition in the community. James Gibson sold the land to the school trustees for \$40 in 1855, the same year the school was constructed. The school is listed as Jackson Mills School, School Section No. 13. It provided education opportunities for local children in the rural township for over 100 years. The school was closed in 1960 and is now used as a private residence.

Contextual Value

The Jackson Mills Schoolhouse is located on a hillside close to the road. The Jackson Mills Schoolhouse supports the historic and scenic character of the road. As the key educational institution in the community for over 100 years, the building is a landmark.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- One storey, square plan limestone building, built into a hill;
- Medium-pitch front gable roof with wide eaves;
- Symmetrical front façade, including openings with stone voussoirs; and
- Two-bay east elevation.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- Later rear addition.

City of Kingston By-Law Number 2023-XX

A By-Law to Designate the Artillery Park Barracks at 344-350 Bagot Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2010;

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 344-350 Bagot Street, known as the Artillery Park Barracks, (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation
Artillery Park Barracks**

Civic Address: 344-350 Bagot Street
Legal Description: PT ARTILLERY PK ORIGINAL SURVEY KINGSTON CITY
PT 1 13R13119; S/T FR677127; City of Kingston, County of
Frontenac
Property Roll Number: 101103010007100

Introduction and Description of Property

The subject property located at 344-350 Bagot Street includes the former military residential building, known as the Artillery Park Barracks, built in 1843. It is situated on the west side of Bagot Street, north of Queen Street, with frontage also onto Montreal Street, in downtown Kingston. The property also contains a two-storey stucco-clad building, facing Bagot Street, and a small single storey gabled-roof structure; neither of these buildings have notable heritage value.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

The Artillery Park Barracks has physical/design value as a good example of an early-19th century stone residence for military personnel. Character defining elements that reflect this value include its scale and massing. Other elements reflecting its high degree of craftsmanship include the two-storey, hammer-dressed limestone construction with a hipped roof, quoins and windowsills made of ashlar. The openings are have segmental arches. The main facade, facing north, is fifteen bays wide and divided into three units of five bays each. Each of these units contains a central, projecting, square entrance bay, with quoins and a hipped roof. The back of the building has fifteen evenly spaced windows to each floor while the west side has no openings. The low-pitched roof of the main building has a simple cornice supported by decorative brackets and there are limestone chimneys at each end of the roof ridge and in the center between the units.

The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The property's historical/associative value derives from its direct associations with the Royal Regiment of Artillery who were stationed here from 1815-1870. The regiment built the building in 1843 at a cost of £3439. The military has had a substantial presence in Kingston and has contributed greatly to the history, character and growth of the City.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.

The Artillery Park Barracks has contextual value as it is directly linked with the limestone Kingston Armouries and Drill Hall and the former officers' residences (Wellington Terrace) to the west, as well as the limestone former guard house to the east. The Barracks supports and maintains the historic military character and connection in this area of Kingston.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- Two storey military residents building of limestone construction, with quoins, stone sills and voussoirs;
- Hipped roof, with simple cornice supported by decorative brackets, with limestone chimneys at the ridge;
- Central projecting square entrance bays, with quoins and a hipped roof; and
- Symmetrical fenestration pattern.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- Two storey, stucco-clad building fronting on Bagot Street; and
- One storey, gabled roofed building.

By-Law Number. 2023-XX

A By-Law To Designate the Lynch House at 35 Johnson Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

Passed: XXX, 2023

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* on April 19, 2016;

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Lynch House at 35 Johnson Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes

City Clerk

Bryan Paterson

Mayor

Schedule “A”

Description and Criteria for Designation

Lynch House

Civic Address:	35 Johnson Street
Legal Description:	PT LT 45 Original Survey Kingston City as in FR358046; City of Kingston, County of Frontenac; City of Kingston, County of Frontenac
Property Roll Number:	101101012009300

Description of Property

This property is located on the north side of Johnson Street between Ontario and King Streets, with 16.6 meters frontage on Johnson Street. It is a 5 bay, 2 storey house of limestone construction built in 1841, originally with two doorways, one for a tavern and one for a residence.

Early Kingston maps show that the property, situated close to the commercial waterfront area, contained buildings, probably of frame construction, from 1797 on. In 1839 Thomas Kirkpatrick sold the SW part of lot 45, the location of the present 35 Johnson St building, to Daniel Lynch. However, the previous building was destroyed in the catastrophic waterfront fire of April 1840. The present building, described in the Kingston Chronicle and Gazette of July 24, 1841 as “the new stone building of Mr. D. Lynch” can accordingly be dated to 1841. It remained in the Lynch family until 1913, initially as their residence in one part of the double house, and as an inn, known as the Anchor Hotel, in the other. Later, probably around 1900, the hotel doorway was stoned in, and the building has since served as a boarding house, hairdressing salon and residential apartments.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

This property has physical/design value as a good example of a classical 5-bay limestone building with a Georgian influenced simple rectangular side-gable plan, built to accommodate both residential and commercial use. On the main façade the stones are laid in uniform courses, while the side and rear walls are rubble stonework. The central doorway is recessed with paneled reveals as well as a transom and original stone steps. The 6-panel door is likely original, but the upper 4 panels have been replaced by glazing. The regular window openings, arranged in the Georgian style, have stone voussoirs and sills. The south-eastern ground floor window was designed with

extra width, presumably to enhance the view of the waterfront for patrons of the inn. The alterations to the 1841 façade are relatively minor: the second front doorway has been stoned in, the original windows have been replaced, and a portico has been recently added to the front entrance. At the gable ends the chimneys have been removed, narrow attic windows inserted at the east end, and a window and small balcony inserted at the west end.

The interior of the building has retained some fine original features including a fine mantel and decorative baseboard and chair rail moulding.

Historical/Associative Value

This property has historical/associative value as a building combining commercial and residential functions in the heart of the early developing Kingston. The owners of preceding buildings on the site include Christopher Hagerman and Thomas Kirkpatrick, who were law partners and prominent local and provincial politicians. The present structure was built and occupied by the Lynch family for over 70 years.

Contextual Value

This house has important contextual value through its contribution as a substantial limestone structure to the streetscape of early buildings in stone and brick along Johnson and Ontario Streets.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- The building's footprint and massing;
- Its 5-bay, 2-storey configuration;
- Its rubble stone, pitched-faced limestone construction with regular coursing on the main façade and random coursed limestone walls on all sides;
- Original window openings with limestone voussoirs and sills;
- The central doorway with fielded panels, transom, 6-panel door, and stone steps; and
- The gable roof with parapet and corbels.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- Small entranceway portico

City of Kingston By-Law Number 2023-XX

A By-Law to Designate 53 Princess Street and 365-369 King Street East to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2010:

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 53 Princess Street and 365-369 King Street East, known as the Millan Building (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation
Millan Building**

Civic Address: 53 Princess Street and 365-369 King Street East
Legal Description: PT LT 58 ORIGINAL SURVEY KINGSTON CITY AS IN
FR399469, S/T FR399469, S/T DEBTS IN FR395307; now
City of Kingston, County of Frontenac
Property Roll Number: 101103009005500

Introduction and Description of Property

The subject property, located at 53 Princess Street and 365-369 King Street East, contains the three-storey brick corner building, the Millan Building, built in 1877. It is situated on the northeast corner of Princess Street and King Street East in downtown Kingston. The property also contains a two-storey concrete block building (367 King Street East) of no heritage value, and a single storey limestone commercial building, built before 1865.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

The Millan Building has physical/design value as a good example of a mid-19th century building purpose-built for both commercial and residential purposes. Character defining elements that reflect this value include its scale and massing. The corner red brick building with its facade at the corner and three bays along Princess Street and four bays on King Street is characterized by a double set of main doors, rising three storeys where Corinthian pilasters that terminate at triple brackets that support a mansard roofed tower section with a round-arched dormer. Another central door on Princess Street is marked by a simple wooden cornice. The window openings have stone sills, elliptical arches, which are framed by buff coloured brick. All those in the second storey have limestone keystones.

The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

The Millan Building has historical/associative value through its association with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent downtown landmarks such as McIntosh Castle, Fire Hall No.1, and the Frontenac County Registry Office. The Millan Building shows the firm's enthusiasm in designing a corner property in the heart of Kingston. With flashy Corinthian pilasters, multi-coloured bricks and stone sills and keystones, John and Joseph Power took advantage of the visibility and prominence of this corner location and enhanced the angled corner wall with a tower feature, where the main entrance is located.

The Millan Building was built for James Quigley who ran a business from the site until his death in 1905. His estate sold the building to L.W. Murphy who then sold it to brothers Leo D. Millan and Norman J. Millan in 1929. The Millan family has continued to own and care for this building for five generations, nearly 100 years.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The property has contextual value because it is a landmark.

The Millan Building, together with the single storey limestone building fronting on to King Street (which predates the brick corner building), has contextual value as it supports and maintains the historic and eclectic commercial character of downtown Kingston.

The Millan Building's distinctive brick and stone construction and architectural detailing, together with its prominent corner location, make it a landmark along Princess Street.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- Three storey brick building, with symmetrical fenestration pattern;
- Mansard roof with dentilled cornice, and corbels;
- Central entrance bay with Corinthian pilasters and triple brackets leading to a mansard roofed tower with round-arched dormer;
- Architectural detailing, including multi-coloured bricks, limestone sills and keystones; and
- One storey limestone building (369) with voussoirs over large opening facing King Street East.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include:

- The two-storey concrete building (367).

By-Law Number. 2023-XX

A By-Law To Designate the Burrowes House at 771 Kingston Mills Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

Passed: XXX, 2023

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 771 Kingston Mills Road, known as the Burrowes House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes

City Clerk

Bryan Paterson

Mayor

Schedule “A”

Description and Criteria for Designation

Burrowes House

Civic Address: 771 Kingston Mills Road
Legal Description: Part Lot 35-37 CON 4 Kingston as in FR477165 Except the Easement Therein; City of Kingston, County of Frontenac
Property Roll Number: 1011 080 270 03800

Introduction and Description of Property

The Burrowes House at 771 Kingston Mills Road is located on the south side of the road and south of the CN railway tracks, in the former Township of Kingston, now part of the City of Kingston. The property is over 20 hectares in size and set well back from the road. It contains a one-and-a-half storey dwelling constructed with randomly coursed limestone around 1830 by Thomas Burrowes.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

The Burrowes House is a representative and early example of a 19th century Ontario limestone dwelling. It is a one-and-a-half storey dwelling built of random coursed limestone with the principal elevations on a north-east south-west axis. The roof is hipped with unadorned cornices and single low gables centered on each of the four slopes. The north-west front is symmetrical with five bays over a high basement foundation, so the entrance is reached by long double flight of stairs supported by a round headed stone arch foundation. The entrance displays a high degree of craftsmanship with its semi-elliptical transom with a tracery pattern over a door and sidelights; as well the gable over the entrance has a window of unusual design having a joined pair of shallow segmental headed windows surmounted by a small additional window with curved sides forming an ogee head. On either side of the entrance are two sash windows with corresponding shallow rectangular windows under the eaves to provide light to the upper floor.

The rear south-east elevation has unusual south and east facing chamfered corners each containing a single main floor window with a south basement window and east basement door. Where there was once a kitchen tail extending from the south-east wall, an enclosed porch with a shed roof and central gable over the entrance now takes its place. A tall round headed window replaces the upper storey loft door under a low gable formed from a vestige of the original kitchen roof. The gable is flanked by single shallow windows under the eaves. The south-west and north-east side elevations are similar to each other in detail with single stone chimneys rising centrally over the gable walls. Below the gable eaves the chimneys are flanked on each side by tall quadrant-headed windows. The only other openings visible are matching sash windows toward the north and west corners of the main floor. A northeast doorway is enclosed by a gable roofed entrance porch addition.

The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

Thomas Burrowes (1796-1866) was a prominent figure in this area and instrumental in the construction of the Rideau Canal. Burrowes was posted to Canada as a British sapper (1815-24) and served at Fort Henry. In 1826 Colonel By appointed him as a civilian to help oversee the building of the Rideau Canal. Initially he surveyed and planned construction at the Bytown (Ottawa) end of the canal, and was posted to the Cataraqui end in 1829, becoming Clerk of Works for the canal in 1832. Burrowes settled in this stone house, close to Kingston Mills, at this time and continued to live there until his death in 1866. After retirement from canal duties in 1846 he remained active as a postmaster, justice of the peace, and farmer, and continued to visit and paint sites along the canal. His 115 watercolour images, found in 1905, are now in the collection of the Archives of Ontario.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The Burrowes House has contextual value through its location near Kingston Mills where Burrowes was a prominent citizen, and as a landmark along the Cataraqui River, which was an important waterway from the earliest days of Loyalist settlement. It has been suggested that its random coursed limestone construction can be attributed to the use of stones that were surplus to requirements for building the canal lock walls.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- One-and-a-half storey dwelling of random coursed limestone construction;
- Unique hipped roof;
- Double-flighted stair entranceway;
- Semi-elliptical transom with sidelights around the front door;
- Gable and associated window in entranceway;

- Window openings on the original building with tall limestone voussoirs;
- 5-bay front façade; and
- The stone chimneys.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- South-eastern vinyl clad addition and its associated deck;
- Metal railings along entranceway; and
- Tall portico over main entranceway.

City of Kingston By-Law Number 2023-XX

A By-Law to Designate the Orange Hall building at 78-86 Princess Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2010:

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 78-86 Princess Street known as the Orange Hall building (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation
Orange Hall building**

Civic Address: 78-86 Princess Street
Legal Description: PT LT 107 ORIGINAL SURVEY KINGSTON CITY; PT LT 110 ORIGINAL SURVEY KINGSTON CITY; PT LT 119 ORIGINAL SURVEY KINGSTON CITY PT 1 13R13826; S/T INTEREST IN FR290929; now City of Kingston, County of Frontenac
Property Roll Number: 101101013009900

Introduction and Description of Property

The subject property, located at 78-86 Princess Street, is situated on the south side of Princess Street, mid-block between King Street East and Wellington Street in downtown Kingston. It contains the three-storey brick building, built as the Orange Hall (78-80 Princess Street), in 1866. The property also contains a smaller three-storey limestone building (82 Princess Street), built c.1850 and a two-storey brick building (86 Princess Street), built in 1885.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

The Orange Hall has physical/design value as a good example of a mid-19th century building purpose-built for commercial and institutional purposes. Character defining elements that reflect this value include its scale and massing. While the ground floor fenestration has been substantially altered, the second and third floors remains intact. A high degree of craftsmanship and artistic merit went in to this six-bay building. This is displayed through the stone detailing, such as sill-courses, belt-course, decorative diamond-shaped motif and window lintels against the red brick construction. Additional effort went into this façade using recessed arched panels between each window opening on both the second and third floors, and a recessed rectangular pattern under a dentilled cornice and parapet with two brick chimneys.

Also contributing to the display of artistic merit on this property is the use of polychromatic brickwork at 86 Princess Street. A red and buff brick was used to add window hood details and to frame the building with buff coloured brick pilasters. This building also displays an elaborate cornice with large corbels and brackets. A date stone is also added for interest.

The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

The Orange Hall has historical/associative value through its association with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent downtown landmarks such as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office. The Orange Hall building shows the firm's commitment to designing a timeless building for both a prominent merchant and local service club.

The Orange Hall was built to accommodate the Grand Orange Lodge, a historically protestant men's fraternal order, and for F.X. Cousineau local dry goods merchant.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The property has contextual value because it is a landmark.

The Orange Hall building, together with the three-storey limestone and two storey brick buildings to the west, has contextual value as it supports and maintains the historic and eclectic commercial character of downtown Kingston.

The distinctive brick and stone construction and architectural detailing of the Orange Hall building, together with the adjacent limestone and polychromatic brick buildings, makes this property a landmark along Princess Street.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- Three storey brick building, with symmetrical fenestration pattern, including arched and flat-headed openings;
- Dentilled cornice with parapet wall and brick chimneys;

- Architectural stone detailing, including stone sills, sill-course, belt-course, lintels and diamond-shaped motif;
- Brick detailing, including recessed arched and rectangular panels; and
- Three storey limestone building (82) with original window openings, stone voussoirs, frieze and corbels; and
- Two storey polychromatic brick building (86) with original window openings, decorative cornice including corbels, frieze and brackets, and its date stone reading “1885”.

City of Kingston By-Law Number 2023-XX

A By-Law to Designate 85 Princess Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2010:

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as [insert address] (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation**

Civic Address: 85 Princess Street
Legal Description: Part Lot 111 Original Survey Kingston City as in FR652624;
now City of Kingston, County of Frontenac
Property Roll Number: 101103009005200

Introduction and Description of Property

The subject property, located at 85 Princess Street, contains the three-storey brick building (now painted brick), built before 1840. It is situated on the north side of Princess Street, between King Street East and Wellington Street in downtown Kingston and most recently the home of Wayfarer Books.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.

85 Princess Street has physical/design value as a good example of an early-19th century brick building built for residential purposes then converted for multiple uses. Character defining elements that reflect this value include its scale and massing. The first storey of the building consists of a central recessed entranceway of double doors and transom, and flanking show windows framed in square wooden columns with brackets at their capitals, supporting the cornice over the first storey, all of which reflects the historic commercial use on this floor.

A high degree of craftsmanship and artistic merit are evident by the building’s double hung sash windows made up of twenty-four panes. The top sash of every window has twelve lights and muntins in the pattern of a Gothic arch. There are also small pediment lintels over each window. Other aspects that demonstrate attention to detail and artistic merit include the cornice made of corbelled brick with brackets and a small blind arcade beneath. Three courses of corbelled brick form a central cornice detail above the third floor.

The property has historical value or associative value because it has direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.

85 Princess Street has historical/associative value as it played a key role in arresting a substantial and devastating fire that destroyed the buildings to the west (89-95 Princess) in 1847. It is thought that due to its brick construction, the building slowed the progress of fire that raged to the west long enough to be quelled. This event and the building's role is particularly significant as the fire was moving east towards 77 Princess Street, which was then a fully occupied hospital.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The property has contextual value because it is a landmark.

The property's design and brick construction have contextual value as it supports and maintains the historic and eclectic commercial character of downtown Kingston.

Its distinctive brick architectural detailing, together with its unusual windows, makes it a landmark along Princess Street.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- Three storey brick building, with symmetrical fenestration pattern;
- Sash windows made up of twenty-four panes in the pattern of a Gothic arch;
- Architectural detailing, including small pediment lintels over each window, the cornice, with corbelled bricks, and brackets, and the small blind arcade; and
- Central recessed entranceway of double doors and transom, with flanking display windows framed by square wooden columns with brackets at their capitals, supporting the cornice over the first storey.

City of Kingston By-Law Number 2023-XX

A By-Law to Designate the Burr House at 67 Kensington Avenue to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2017:

On [insert date], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 67 Kensington Avenue, known as the Burr House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2023

Given Third Reading and Passed XXX, 2023

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation
Burr House**

Civic Address: 67 Kensington Avenue
Legal Description: Lot 35 Plan 131 KINGSTON CITY S/T INTEREST IN
FR613314; now City of Kingston, County of Frontenac
Property Roll Number: 101107005007800

Introduction and Description of Property

The subject property, located at 67 Kensington Avenue, contains a two-and-a-half storey brick house, built in 1927. It is situated on the east side of Kensington Avenue on a 700 square metre lot, south of Union Street.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material or construction method.

The Burr House at 67 Kensington Avenue has physical/design value as a good and unusually large example of the English Cottage or Colonial Revival style building. Character defining elements that reflect this value include its red-brick cladding with off-set main entrance with partially glazed door and round-arched hood set on a pair of substantial wooden brackets. The projecting two-and-a-half storey bay with its dramatic roofline set on smooth limestone brackets with a simple narrow frieze board, its multi-part windows with limestone lintels and sills and smaller multi-part elliptical arched window openings, limestone sill and brick voussoirs on the second floor, topped with arched transom reflect the English Cottage style of architecture.

Additional elements that demonstrate this value include the small circular window surrounded by a circular limestone frame with an inner recessed circle, at the apex of the gable. The foundation, built of unusually large random-sized rough ashlar stones, each one selected and placed to act as, or emphasize an architectural feature of the building.

The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The property has associative value with Dr. Ronald Burr, who owned and lived in the house from 1948 until 1992. His obituary notice speaks of the important role he played in the medical history of Queen's and Cancer treatment in Kingston and beyond:

Burr, Ronald C., Kingston, Ont.; Queen's University, 1932; diagnostic/therapeutic radiology; FRCS(Ed), FACR, FRCPC; RCAMC, WW II; first director, Kingston Regional Cancer Centre; former radiologist, Hotel Dieu Hospital and Prince Edward County Memorial Hospital; senior member, CMA. In 1966 he was named the first professor and first head of the Department of Therapeutic Radiology at Queen's after convincing the university that therapeutic radiology was a unique discipline requiring a separate department; it was the first of its kind in Canada. The Ronald C. Burr Wing was named in his honour at the Kingston General Hospital. Died Mar. 24, 1999, aged 94; survived by one daughter.

The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

67 Kensington Avenue is associated with well-known local architect William Newlands. Commissioned by then property owner Allan Meiklejohn in 1926, William Newlands designed this building during the last year of his life, making it one of his last contributions to Kingston architecture. Some of Newlands most well-known works include 169 King Street East, the former Pittsburgh Town Hall on Regent Street in Barriefield Village, the Victoria School (now Queen's School of Business) on Union Street and the Newlands Pavilion along the waterfront in Macdonald Park.

Cultural Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- The two-and-a-half storey red brick building in the English Cottage/Colonial Revival style;
- Multi-part window pattern design, with various sized openings, some flat and some arched;
- Architectural detailing, including round-arched hood with wooden brackets over the off-set front door, limestone lintels, sills and brackets and brick voussoirs, arched transoms, circular window with limestone frame, and tall limestone foundation; and
- Dramatic bell-cast roof with slim frieze board, exposed rafter ends and smooth ashlar limestone brackets.



**City of Kingston
Information Report to Council
Report Number 23-245**

To: Mayor and Members of Council
From: Paige Agnew, Commissioner, Growth & Development Services
Resource Staff: Tim Park, Director, Planning Services
Date of Meeting: October 3, 2023
Subject: Top Five Staff Recommended Provincial Housing Affordability Task Force Recommendations

Council Strategic Plan Alignment:

Theme: 1. Support Housing Affordability

Goal: 1.1 Promote increased supply and affordability of housing.

Executive Summary:

On February 8, 2022, the Ontario Housing Affordability Task Force released their [final report](#) with 74 recommendations aimed at tackling the housing supply crisis. The recommendations centred on making new housing the planning priority and setting bold targets by requiring greater as-of-right density, making better use of alternative transportation investments, setting uniform provincial standards, removing the regulation of character and design matters, reducing or removing parking requirements, limiting public meetings, delegating more decisions, providing more funding to the Ontario Land Tribunal, changing heritage designation processes, introducing punitive measures connected to appeals, and creating a new Ontario Housing Delivery Fund that rewards or punishes municipalities based on the number of new homes constructed.

Since this time, the Provincial government has brought forward a number of amendments to provincial legislation, policy and regulations, many of which are in effect with some amendments awaiting final implementation. The Provincial government states that 23 of the 74 recommendations have been either fully implemented or implemented with amendments.

On September 15, 2023, Mayor Paterson received a letter from The Honourable Paul Calandra, the Minister of Municipal Affairs and Housing, requesting municipal feedback on recommendations. The letter also requests that the City prioritize the top five supported recommendations for future consideration and provide advice on how those top five recommendations could or should be implemented with amendments. For these top five recommendations, the response can identify a request to revisit the way one of the 23 recommendations have been implemented. The letter requires a response by Mayor Paterson no later than October 16, 2023. Municipalities that do not provide a complete response by this date will be disqualified from being eligible for the province's new [Building Faster Fund](#) that was announced at the Association of Municipalities of Ontario conference in August.

The purpose of this report is to provide staff's feedback on top five recommended Housing Affordability Task Force recommendations for Mayor Paterson's consideration when providing a response to The Honourable Paul Calandra, Minister of Municipal Affairs and Housing.

Recommendation:

This report is for information only.

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Paige Agnew, Commissioner,
Growth & Development Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Jennifer Campbell, Commissioner, Community Services	<input checked="" type="checkbox"/>
Neil Carbone, Commissioner, Corporate Services	<input checked="" type="checkbox"/>
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	<input checked="" type="checkbox"/>
Desirée Kennedy, Chief Financial Officer & City Treasurer	<input checked="" type="checkbox"/>

Options/Discussion:

Ontario Housing Affordability Task Force and Recent Provincial Actions

The Provincial government appointed a number of experienced professionals in real estate, development, planning, finance, and non-profit housing Ontario Housing Affordability Task Force (the “Task Force”). The Task Force released its [final report](#) in February of 2022 with 74 recommendations aimed at tackling the housing supply crisis. The recommendations centred on making new housing the planning priority and setting housing targets. The recommendations are detailed in the final report linked above, however they generally fall into the following themes:

- requiring greater as-of-right density;
- making better use of alternative transportation investments;
- setting uniform provincial standards;
- removing the regulation of character and design matters;
- reducing or removing parking requirements;
- limiting public meetings;
- delegating more decisions;
- providing more funding to the Ontario Land Tribunal;
- changing heritage designation processes;
- introducing punitive measures connected to appeals; and
- creating a new Ontario Housing Delivery Fund that rewards or punishes municipalities based on the number of new homes constructed.

Since this time, the Provincial government has brought forward a number of amendments to provincial legislation, policy and regulations, many of which are in effect with some amendments awaiting final approval. The Provincial government provides a status update on all 74 recommendations on the [Housing Affordability Task Force website](#), identifying that 23 of the 74 recommendations have been either fully implemented or implemented with amendments. The website details the 23 implemented recommendations by providing their status and the details how the recommendation was implemented.

Background Reports related to Recent Provincial Actions

In an effort to keep this report as concise as possible, rather than reiterate the background and staff comments on all of the recent Provincial actions, the following list has links to recent staff reports related to recent Provincial actions since the Task Force recommendations were released in February of 2022:

- April 19, 2022: [Report Number 22-132, More Homes for Everyone Act, 2022, Status of Emergency Orders under the Reopening Ontario Act, 2020](#)
- August 11, 2022: [Report Number PC-22-044, Parkland Conveyance By-law Renewal](#)

- October 13, 2022: [Report Number PC-22-057, Community Benefits Charges Strategy and By-law](#)
- December 6, 2022: [Report Number 23-020, Bill 23 – More Homes Built Faster Act, 2022](#)
- February 21, 2023: [Report Number 23-063, 2031 Municipal Housing Pledge](#)
- May 16, 2023: [Report Number 23-132, Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023 & Proposed Provincial Planning Statement](#)
- May 17, 2023: [Report Number HP-23-018, Responding to Bill 23 Changes to the Ontario Heritage Act](#)
- May 25, 2023: [Report Number PC-23-021, Public Meeting Report – Proposed Changes to the Development Review Process](#)
- June 20, 2023: [Report Number 23-161, Changes to the Development Review Process in Response to Fee Refunds](#)
- July 11, 2023: [Report Number 23-197, Proposed Provincial Planning Statement – Natural Heritage Policies Update](#)
- July 11, 2023: [Report Number 23-183, Supplementary Report – Community Benefits Charge Strategy and By-law](#)
- August 8, 2023: [Report Number 23-172, Housing Accelerator Fund Program Overview and Action Plan](#)

Letter from The Honourable Paul Calandra, Minister of Municipal Affairs and Housing

The Honourable Paul Calandra, the new Minister of Municipal Affairs and Housing (the “Minister”), sent letters to all Heads of Council on September 15, 2023 requesting a formal position from each municipality on all 74 Task Force recommendations. The Minister’s letter requires a response from mayor Paterson by October 16, 2023. Failure to provide a response by the deadline will disqualify a municipality from being eligible for the province’s new [Building Faster Fund](#) that was announced at the Association of Municipalities of Ontario conference in August.

The Minister’s letter is requesting that the City provide feedback as well as prioritize the top five supported Task Force recommendations and provide advice on how those top five recommendations could or should be implemented with amendments. For these top five recommendations, the response can identify a request to revisit the way one of the 23 recommendations have been implemented.

Staff's Top Five Supported Task Force Recommendations

In response to the Minister's letter, staff are providing input on the following top five Task Force recommendations for Mayor Paterson's consideration when providing a response to the Minister, with staff's suggested implementation advice and rationale:

1. Recommendation 22: "Simplify planning legislation and policy documents."

Implementation Advice: City staff support the prioritization of simplifying planning legislation and policy. Instead of the current punitive approach introduced through the fee refund amendments to streamline development approvals, the Provincial government should simplify planning legislation in a way that gives municipalities new tools to truly streamline the development approvals process. The most important and truly transformational tool that the Provincial government can give municipalities is the ability to conditionally zone and approve zoning by-law amendments with conditions. It is clear that the Provincial government understands the importance of being able to apply conditions in zoning, as a number of changes were implemented in Bills 109, 23 and 97 allowing the Minister to add conditions to zoning approvals through the MZO and CIHA processes and require applicants to enter into agreements. Giving municipalities these same tools would be the single most transformational tool that would quickly and fundamentally streamline the development approvals process.

The City is committed to and applying this lens and approach to its own planning policy documents most recently through the creation and implementation of its new city-wide zoning-by-law, to the preliminary scoping of the new Official Plan to public commence in 2024 and the implementation of policy changes to better implement direction of Bill 23 to take commence in late 2023.

Rationale: The majority of municipalities rely on an interconnected framework of Official Plan (OP) – Zoning By-law (ZBL) – Site Plan Approval (SPA) to regulate development. Of these 3 pieces, the ZBL (s. 34 of the Planning Act) is the main regulation that prevents the construction of new houses in our communities and the *Planning Act* creates an unnecessarily complex amendment (approval) framework. In an ideal world, all municipalities would move into a Development Permit System (DPS) to help streamline approvals, but with the status of the draft Provincial Planning Statement, existing Official Plans, Secondary Plans, infrastructure master plans and a number of other complex issues, it is not a quick process to simply create a brand new DPS framework and it isn't going to be accomplished fast enough to address our urgent housing crisis. The reality is that s. 34 of the *Planning Act* needs to be amended now to allow municipalities to use their existing ZBLs differently.

Municipalities typically approve new developments through an amendment to the zoning by-law (ZBA). Right now, s. 34 requires very specific tests to be met, and identifies a very specific scope of elements that are permitted to be regulated in a ZBL. While s. 34(16) permits ZBLs to use prescribed conditions, no regulation has ever been passed identifying prescribed conditions. Without the ability to condition ZBLs or ZBAs, in order to

ensure all technical matters meet the ZBA “tests” established within s. 34, the planning process in Ontario is a long back-and-forth process between municipal staff, Provincial ministries, external agencies, the public and developers to come to a final proposal with detailed studies supporting all technical elements. The developer submits their application, staff review and provide comments, the developer revises all of their application materials and resubmits, etc. This process goes back-and-forth until staff are satisfied all of the boxes have been checked and they can make a recommendation to Council that the “tests” have been 100% satisfied.

This process is expensive and uncertain for developers, since they have to pay for expensive studies and plans up front before they have any idea as to whether Council will even support that form of development. They may also pay for a series of studies to support an initial form of development (to satisfy all of the tests), then be reluctant to make changes to their proposal because they know revisions or updates will be required to every study that they already paid for. They don't know if further revisions or changes will be required before Council approves the development, so they are reluctant at all stages in the process where more technical information is requested. This typically results in delays in the process while a developer takes time to weigh the legal risks and costs associated with technical asks (and often results in adversarial discussions between staff and the developer when discussing the need for additional technical information). It uses a lot of municipal resources, as staff have to review and provide comments on various iterations of revised application materials and results in lengthy delays before staff can make a recommendation to Council on a ZBA while staff wait for information from the developer.

How would conditional zoning truly transform the current development approvals process? It would allow Council to apply conditions in their approval of a ZBA for a development and it would, most importantly, allow Council to establish enabling provisions in the zoning by-law itself where developments could proceed as-of-right if a specified list of conditions are met. There are many ways conditions can be created to streamline the development process, including (but not limited to):

- a study that supports a technical element of the project (and a requirement to implement revisions to the development as a result of that study); or
- a legal agreement to secure a complicated element of the development (maybe Council would be reluctant to approve it otherwise if there are concerns about potential liabilities to the municipality or the public); or
- approval from other governing bodies or agencies that may have been holding up the review process (and a requirement to implement revisions to the development required by those agencies).

For example, a wind study is required to show that a tall building won't create an unsafe wind tunnel on a sidewalk. Conditional zoning would allow Council to approve the ZBA in principle before the developer spends money on a wind study, knowing that any of the design/mitigation features recommended by that wind study could still be secured to the

City's satisfaction after the conditional ZBA approval. Right now, a developer would have to spend the money on this piece before they know if Council is even supportive of the height of the building (so that the ZBA approves all of the building components necessary to break the wind) – if this is applied as a condition on the ZBA approval, the developer knows they aren't wasting money on a technical study since the development has already been approved by Council in principle and it saves everyone time since multiple iterations of the wind study don't need to be reviewed with every submission.

The *Planning Act* already has permissions set up to allow conditional zoning (s. 34(16)) but it is waiting for "prescribed conditions" to be established in a Regulation. Passing the Regulation with a variety of prescribed conditions (preferably any condition that Council considers advisable) would open up a completely new way for municipalities to approve ZBAs, speeding up the processing timeline and lessening the costs and uncertainty for developers without impacting the thorough technical review required. Conditional zoning would streamline the municipal approval process by allowing staff to get to "yes" sooner. Most importantly, it would allow municipalities to amend their existing zoning by-laws to enable things automatically if identified conditions are met.

The current legislative process requires municipal staff and Council to be so sure that every box is ticked before getting to a yes – conditional zoning would free municipalities from this rigid framework and allow staff to be innovative/find efficiencies wherever possible in the process. Conditional zoning would lessen the number of studies (and costs) required up front before an approval and allow for some of the technical studies to be provided after approval in principle, benefitting everyone in the process with a cost and time-effective approach to development review where some costs are deferred to a time where there is certainty in an approval.

If the fee refund framework is maintained (despite the opposition provided by municipalities), it should be amended to recognize conditional approvals as satisfying the legislated timeline to make a decision and should also be amended to allow municipalities to refuse site plan applications where the applicant's materials do not adequately address functional, safety and accessibility requirements (the current language requires municipalities to approve).

2. Recommendation 43: "Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued."

Implementation Advice: City staff strongly support the prioritization of this recommendation and respectfully suggest that this does not go far enough to address the real infrastructure allocation issue. Rather than starting the 3-year timeline after building permits are issued, the 3-year timeline should apply after the approval of a zoning by-law amendment (ZBA) or site plan approval (SPA), or, alternatively, an entirely new infrastructure allocation framework should be established.

Rationale: By their very nature, municipal services (water and sanitary sewers, water and wastewater treatment plants, pumping stations, etc.) have capacity limitations in terms of the amount of development they can support. Municipal services are important, finite resources that are integral to support the timely construction of new housing. Based on the current development application process which is heavily reliant on zoning by-laws and ZBAs (described in detail in the conditional zoning explanation above), before the approval of a ZBA, the applicant must demonstrate that there is adequate servicing capacity in municipal infrastructure to support the development. Zoning by-laws and site plan control are applicable law for the issuance of building permits, which means that the time servicing capacity is “allocated” to a development is actually at Council approval of a ZBA under the current legislative framework, not connected to a building permit application.

Under the *Planning Act*, Council cannot require an owner to construct a development through the ZBA approval process or establish a deadline/sunset clause on a development approval. In some cases, projects do not advance to construction. This means that the servicing capacity that is “allocated” to that project is not realized. In some cases where existing services are constrained, unrealized allocated capacity impacts the ability of other projects to progress and potentially delays the construction of new homes for no reason other than the theoretical allocation of capacity to a different project that is not moving forward.

In other cases, legacy zoning approvals from more than 20 years ago come forward to construct and the City must complete inefficient, expensive infrastructure upgrades because capacity connected to those legacy approvals was not protected over the full 20 years. Currently approximately 4,300 dwelling units have been allocated servicing capacity through a zoning approval without yet submitting a building permit application. With the need to construct more homes being a key priority of all cities, changes are required to the legislative framework governing infrastructure allocation to ensure that infrastructure planning can be undertaken in a fiscally responsible manner that effectively supports the construction of new homes.

While the City plans to undertake the creation of a complex servicing allocation policy in 2024 to address this legislative gap, the Province can make some simple legislative amendments that would remove the need for individual municipalities to address an oversight in legislation through long, complex, individual servicing allocation processes. The *Planning Act* should be amended to clearly set the point in the development approvals process where infrastructure allocations take place. Site plan approval would be the most appropriate stage to be “allocated” capacity (water, sanitary, transportation, etc.), as this is the time where the detailed technical designs are completed, however, there are a number of solutions that can be explored to create a much clearer infrastructure allocation system (including the introduction of a new section in the *Planning Act* allowing infrastructure allocation to be pulled into a separate/concurrent approval process, move allocation to the building permit process, utilize conditional zoning etc.).

- 3. Recommendation 45: “Improve funding for colleges, trade schools, and apprenticeships, encourage and incentivize municipalities, unions and employers to provide more on-the-job training.”**

Rationale: Through ongoing discussions with applicants and the development community as a whole, there continues to be strong emphasis on labour shortages as a strong factor in delaying the construction of new homes. City staff strongly support the prioritization of this recommendation to ensure provincial actions that would fundamentally address the shortage of skilled trades to help support the provincial housing goal of 1.5 million new homes.

- 4. Recommendation 48: The Ontario government should establish a large “Ontario Housing Delivery Fund” and encourage the federal government to match funding. This fund should reward:**
- a) Annual housing growth that meets or exceeds provincial targets**
 - b) Reductions in total approval times for new housing**
 - c) The speedy removal of exclusionary zoning practices”**

Implementation Advice: City staff strongly supports the prioritization of this recommendation requesting more federal and provincial funding to help municipalities build infrastructure necessary to support new housing, to particularly help accelerate the construction of deeply affordable and supportive housing units. More flexibility should be provided in funding programs by expanding eligibility criteria (i.e., longer than 18 months to construct and occupy new major housing projects).

City staff respectfully suggest that funding should not be dependent on the number of new homes or the total approval timelines, as municipalities do not have the ability to require the construction of new homes and are not the only participants in the development review process. These are not an appropriate metrics by which municipalities should be evaluated, especially when it comes to funding that is required to support new housing growth. Alternatively, funding could be tied to the number of units that the City approves for construction each year through a development approval process, where the owner is in a position to obtain building permits without zoning issues.

- 5. Recommendation 55 C-1: “Review surplus lands and accelerate the sale and development through RFP of surplus government land and surrounding land by provincially pre-zoning for density, affordable housing, and mixed or residential use.”**

Implementation Advice: The City of Kingston has many federally and provincially owned properties located in areas that are appropriate for the construction of new housing. City staff strongly support the prioritization of this recommendation requesting the federal and provincial governments to review and accelerate the sale of surplus lands and the process of pre-zoning for density, affordable housing and mixed or residential uses. This would create significant opportunities to intensify existing built-up areas with houses and, most importantly, create new affordable homes in our community.

Existing Policy/By-Law:

None

Notice Provisions:

None

Accessibility Considerations:

None

Financial Considerations:

There are financial implications resulting from the amendments to the *Planning Act* made by Bills 109, 23 and 97 with regards to review timelines and refunding planning application fees for Official Plan amendments, zoning by-law amendments, and applications for site plan approval. When considered cumulatively with the changes made to the *Development Charges Act* by Bill 23, there are considerable potential financial impacts caused by Provincial legislation on the way the City recovers costs associated with new housing growth.

Contacts:

Laura Flaherty, Project Manager, Planning Services, 613-546-4291 extension 3157

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

None

By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Removal of Holding Overlay, 2952 6th Concession Road)

Passed: October 3, 2023

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”); and

Whereas the property owner has submitted an application requesting the removal of the Holding Overlay from the lands municipally known as 2952 6th Concession Road; and

Whereas in accordance with Section 5.4 of the Kingston Zoning By-Law, the owner has satisfied the conditions for the removal of the “Second Residential Unit Holding Overlay – Water Supply/Water Quality” on the subject property, including;

- (a) A “Second Residential Unit Holding Overlay – Water Supply/Water Quality” application has been reviewed and approved to the satisfaction of the City’s Environment Division; and
- (b) Clearance has been provided by Engineering Services, Building Services, Heritage Services and CRCA staff for the removal of the “Second Residential Unit Holding Overlay – Water Supply/Water Quality”.

Therefore be it resolved that the Council of The Corporation of the City of Kingston enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-Law Number 2022-62”, is amended as follows:
 - 1.1 Schedule “D1” is amended by removing the Second Residential Unit Holding Overlay – Water Supply/Water Quality from the subject lands, as shown on Schedule “A” attached to and forming part of this By-Law; and
2. This By-Law will come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: October 3, 2023

Janet Jaynes
City Clerk


Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Kingston Zoning By-Law 2022-62 Schedule D1 - Second Residential Unit Holding Overlay

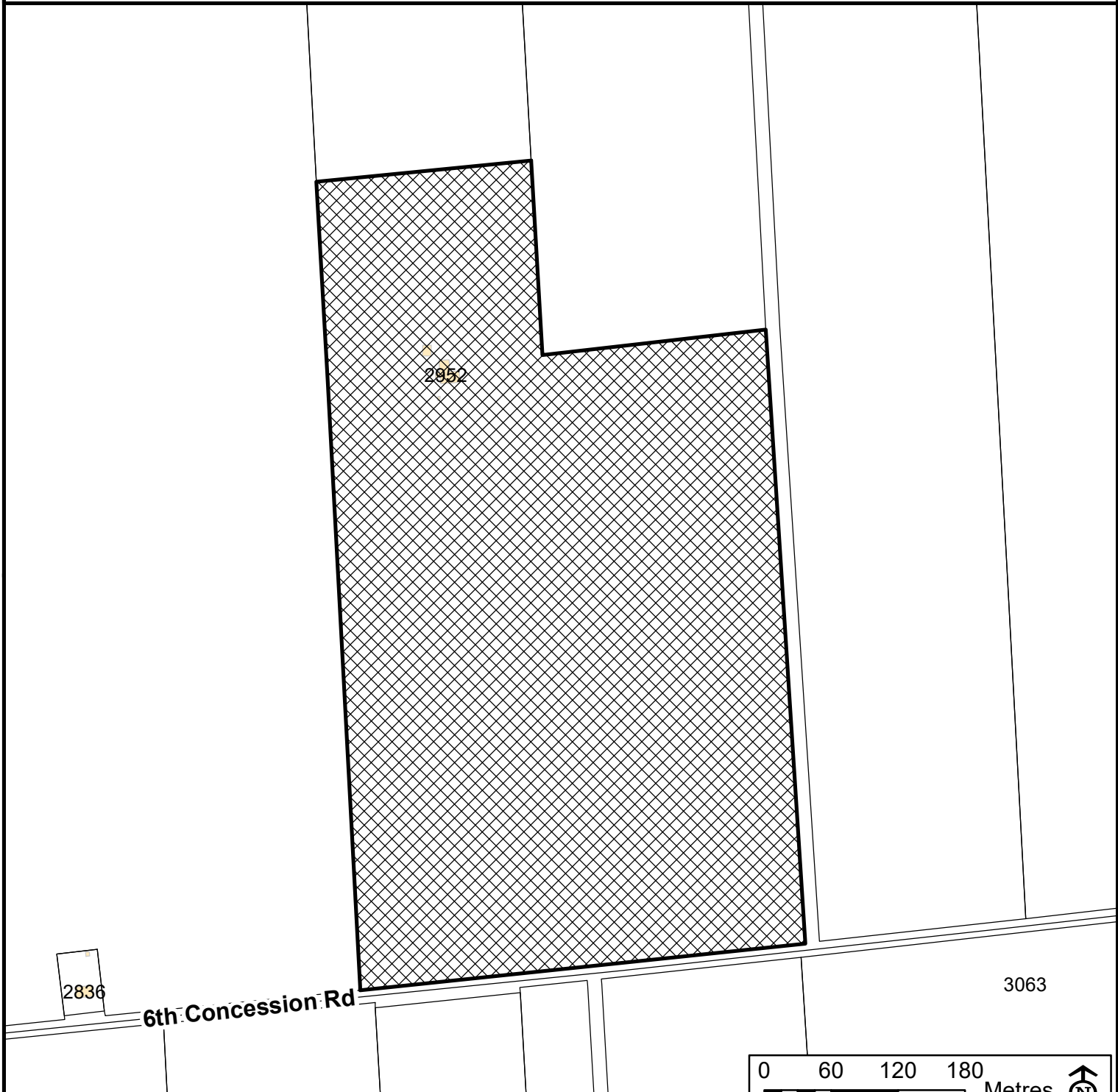
Address: 2952 6th Concession Rd
File Number: D28-010-2023

 Lands to be Removed
from Schedule D1

Certificate of Authentication

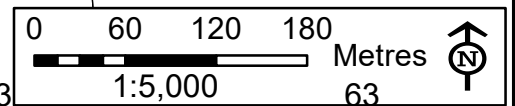
This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2023.

Mayor Clerk



Prepared By: rejones
Date: Aug-23-2023

Council Meeting 26 October 3, 2023



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