



**City of Kingston
Kingston Heritage Properties Committee
Meeting Number 02-2024
Agenda**

**Wednesday, January 24, 2024 at 9:30 a.m.
Hosted at City Hall in Council Chamber**

Please provide regrets to Iain Sullivan, Committee Clerk at 613-546-4291, extension 1864 or isullivan@cityofkingston.ca

Committee Composition

Councillor Glenn, Chair
Councillor Oosterhof
Jennifer Demitor
Peter Gower
Gunnar Heissler
Alex Legnini
Jane McFarlane
Daniel Rose
Ann Stevens

- 1. Meeting to Order**
- 2. Approval of the Agenda**
- 3. Confirmation of Minutes**
 - a) That** the minutes of Kingston Heritage Properties Committee Meeting Number 01-2024, held Wednesday, December 20, 2023, be approved.
- 4. Disclosure of Pecuniary Interest**
- 5. Delegations**

6. Briefings

7. Business

a) Pre-consultation

b) Policy Development and Implementation

c) Stream Two Permits – Approval through Delegated Authority

i. Subject: Application for Heritage Permit

Address: 4156 Highway 2

File Number: P18-097-2023

The Report of the Commissioner of Community Services (HP-24-005) is attached.

Schedule Pages 1 – 45

Recommendation:

That alterations to the property at 4156 Highway 2, be referred to the Director of Heritage Services for the issuance of final approval, in accordance with the details described in the application (File Number: P18-097-2023), which was deemed completed on December 6, 2023 with said alterations to include:

- the replacement of an existing enclosed porch with a new covered porch that includes an associated handrail and columns;
- the replacement of the rear shed with a new taller shed on the same footprint with a steel roof and solar panels;
- the replacement of the basement access structure with a similar structure on the same footprint with a new roof configuration;
- a new addition on the eastern elevation with an approximate 0.1 metre reveal in the same design as the new shed; and
- a new deck along the eastern elevation attached to the proposed northern and eastern additions that faces north.

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

1. That the finalized design of the proposed columns, windows, doors and porch railings be provided to heritage planning staff for review and approval prior to installation;
2. That the newly installed columns be subtly dated (away from public view) with the year of completion for legibility purposes;

3. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
4. Any replacement masonry units shall be sourced to match, as close as possible, in colour, size and profile with the existing;
5. A Building Permit shall be obtained, as necessary;
6. Heritage Services staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application; and
7. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

d) Stream Three Permits – Approval through Council Authority

i. Subject: Application for Ontario Heritage Act Approval

Address: 53 William Street

File Number: P18-075--2023

The Report of the Commissioner of Community Services (HP-24-008) is attached.

Schedule Pages 46 – 81

Recommendation:

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

That the alterations on the property at 53 William Street, be approved in accordance with the details described in the applications (File Number P18-075-2023), which was deemed complete on December 14, 2023, with said alterations to include:

1. The partial demolition of the entryway vestibule; and
2. The rebuild of the entryway vestibule, to include:
 - a. An enlargement of 0.88m²;
 - b. Like-for-like detailing, design and proportions;
 - c. The retention and reinstallation of the existing door and transom;
 - d. The use of any reusable materials; and

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

1. Details, including colour(s), materials and dimensions of the new entryway vestibule shall be submitted to Heritage Planning staff, prior to construction, for final review and approval;
2. The conditions of the current entryway vestibule shall be documented and provided to Heritage Planning staff for record purposes;
3. An Encroachment Permit and/or Temporary Access Permit shall be obtained, where necessary;
4. A Building Permit shall be obtained, where necessary;
5. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application;
6. Any alterations to the drainage are to be done entirely on the subject property and in such a way that adjacent properties are not adversely affected;
7. Ensure compliancy with applicable gas regulations; and
8. Any minor deviations from the submitted plans, which meet the intent of this approval and does not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

e) Amendment to Designation under the Ontario Heritage Act

i. Address: 662 King Street West, 13, 15 & 17 Grange Street

File Number: R01-026-2023

The Report of the Commissioner of Community Services (HP-24-003) is attached.

Schedule Pages 82 – 102

Recommendation:

That Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Proposed Amendment for the properties located at 662 King Street West, and 13, 15 and 17 Grange Street, pursuant to Section 30.1 of the *Ontario Heritage Act*, attached as Exhibit C to Report Number HP-24-003; 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 Proposed Amendment, the Designation By-Law for 662 King Street West, attached as Exhibit D to Report Number HP-24-003, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 30.1 of the *Ontario Heritage Act*.

f) Notice of Intention to Designate under the Ontario Heritage Act

- i. Addresses: 1070 Old Mills Road, 156 Princess Street, 197-205 Wellington Street, 2432 4th Concession Road, 2555 Highway 38, 490 Bagot Street, 711 King Street West, 991 Sydenham Road, 9995 Sydenham Road and 512 Frontenac Street.**

The Report of the Commissioner of Community Services (HP-24-007) is attached.

Schedule Pages 103 – 173

Recommendation:

That Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Intention to Designate the property located at 1070 Old Mill Road, known as the Riley 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-24-007; 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 1070 Old Mill Road, attached as Exhibit B to Report Number HP-24-007, 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 156 Princess Street, known as the Tolbert 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-24-007; 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 156 Princess

Street, attached as Exhibit C to Report Number HP-24-007, 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 197-205 Wellington 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-24-007; 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 197-205 Wellington Street, attached as Exhibit D to Report Number HP-24-007, 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 2432 4th Concession Road, known as the Hysop 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-24-007; 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 2432 4th Concession Road, attached as Exhibit E to Report Number HP-24-007, 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 2555 Highway 38, known as the Davidson 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-24-007; 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 2555 Highway 38, attached as Exhibit F to Report Number HP-24-007, 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 490 Bagot Street, known as the Millers Lane 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-24-007; 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 490 Bagot Street, attached as Exhibit G to Report Number HP-24-007, 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 711 King Street West, known as the Schroeder 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-24-007; 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 711 King Street West, attached as Exhibit H to Report Number HP-24-007, 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 991 Sydenham Road, known as the McGarvey 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-24-007; 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 991 Sydenham Road, attached as Exhibit I to Report Number HP-24-007, 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 995 Sydenham Road, known as the Harrigan 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-24-007;
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 995 Sydenham Road, attached as Exhibit J to Report Number HP-24-007, 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 512 Frontenac Street, known as La Paroisse St. Francios d'Assise, 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-24-007; 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 512 Frontenac Street, attached as Exhibit K to Report Number HP-24-007 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.

g) Window Policy and Guidelines

The Report of the Commissioner of Community Services (HP-24-006) is attached.

Schedule Pages 174 – 190

Recommendation:

This is report is for information only.

h) Working Groups

i) Permit Approvals / Status Updates

i. Permit Reporting to Committee

Schedule Page 191

8. Motions

9. Notices of Motion

10. Other Business

11. Correspondence

12. Date of Next Meeting

The next meeting of the Kingston Heritage Properties Committee is scheduled for
Wednesday, February 21, 2024 at 9:30 a.m.

13. Adjournment



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-005

To: Chair and Members of the Kingston Heritage Properties Committee

From: Jennifer Campbell, Commissioner, Community Services

Resource Staff: Kevin Gibbs, Director, Heritage Services

Date of Meeting: January 24, 2024

Subject: Application for Heritage Permit

Address: 4156 Highway 2 (P18-042)

File Number: File Number: P18-097-2023

Council Strategic Plan Alignment:

Theme: Business as usual

Goal: See above

Executive Summary:

The subject building with the municipal address of 4156 Highway 2 is located on the north side of Highway 2, across the road from MacAlpine Park and is approximately 1.25 kilometres west from the City's municipal boundary. The property contains a one and a half storey limestone and sandstone farmhouse with a hipped gable and inset dormer windows, located approximately 85 metres north of Highway 2. This property is designated under Part IV of the *Ontario Heritage Act*.

An application for alteration under Section 33 of the *Ontario Heritage Act* (P18-073-2023) has been submitted to request approval to replace an existing enclosed porch with a new covered porch that includes a handrail and columns; replace the rear shed with a new taller shed on the same footprint with a steel roof and solar panels; replace the basement access structure with a similar structure on the same footprint with a new roof configuration; construct a new addition on the eastern elevation with an approximate 0.1 metre reveal with the same cladding as the shed;

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and add a new deck along the eastern elevation attached to the proposed northern and eastern additions.

This application was deemed complete on December 6, 2023. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 33(7). This timeframe will expire on March 5, 2024.

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

Recommendation:

That alterations to the property at 4156 Highway 2, be referred to the Director of Heritage Services for the issuance of final approval, in accordance with the details described in the application (File Number: P18-097-2023), which was deemed completed on December 6, 2023 with said alterations to include:

- the replacement of an existing enclosed porch with a new covered porch that includes an associated handrail and columns;
- the replacement of the rear shed with a new taller shed on the same footprint with a steel roof and solar panels;
- the replacement of the basement access structure with a similar structure on the same footprint with a new roof configuration;
- a new addition on the eastern elevation with an approximate 0.1 metre reveal in the same design as the new shed; and
- a new deck along the eastern elevation attached to the proposed northern and eastern additions that faces north.

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

1. That the finalized design of the proposed columns, windows, doors and porch railings be provided to heritage planning staff for review and approval prior to installation;
2. That the newly installed columns be subtly dated (away from public view) with the year of completion for legibility purposes;
3. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
4. Any replacement masonry units shall be sourced to match, as close as possible, in colour, size and profile with the existing;
5. A Building Permit shall be obtained, as necessary;
6. Heritage Services staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application; and
7. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

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

The subject building with the municipal address of 4156 Highway 2 is located on the north side of Highway 2, across the road from MacAlpine Park and is approximately 1.25 kilometres west from the City's municipal boundary. The property contains a one and a half storey limestone and sandstone farmhouse with a hipped gable and inset dormer windows, located approximately 85 metres north of Highway 2. This property is designated under Part IV of the *Ontario Heritage Act*.

An application for alteration under Section 33 of the *Ontario Heritage Act* (P18-073-2023) has been submitted to request approval to replace an existing enclosed porch with a new covered porch that includes a handrail and columns; replace the rear shed with a new taller shed on the same footprint with a steel roof and solar panels; replace the basement access structure with a similar structure on the same footprint with a new roof configuration; construct a new addition on the eastern elevation with an approximate 0.1 metre reveal with the same cladding as the shed; and add a new deck along the eastern elevation attached to the proposed northern and eastern additions.

This application was deemed complete on December 6, 2023. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 33(7). This timeframe will expire on March 5, 2024.

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

Reasons for Designation/Cultural Heritage Value

The exterior of the property is designated under Part IV of the *Ontario Heritage Act* through Designation By-Law Number 30-82 (Exhibit B) with the following relevant attributes:

- "...[I]s a one and a half storey, T-shaped plan farmhouse constructed of coursed, cut sandstone and limestone."
- The south facing façade is the most important elevation of this property.
- "The east façade has two upper and two lower storey windows. The [north] façade has a plain entrance on the east side which lacks voussiors."
- "A two bay, one and a half storey hipped gambrel wing extends from the centre of the north façade. The east and west facades of this wing have two dormer windows and two lower storey windows."
- "A one storey shiplap shed extends from the right side of the north façade."
- "There are two end gabled outbuildings which have been in existence since at least 1878..."

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Cultural Heritage Analysis

Staff visited the subject property on November 28, 2023.

4156 Highway 2 is located approximately 85 metres north of the right of way, on a road with an 80-kilometre speed limit and is accessed by a tree lined driveway. As such, alterations to the main building are not easily visible to the traveling public. The property has several outbuildings in addition to the main farmhouse. Only the farmhouse is proposed to be altered. Further, the alterations will only occur along the sides and rear while the southern façade, which is part of the lime/sandstone heritage building, will remain unaltered.

“The Standards and Guidelines for the Conservation of Historic Places in Canada” (Standards and Guidelines) provides guidance on best practices regarding exterior form, exterior walls, entrances/porches, and masonry that are considered cultural heritage attributes. Importantly, all the below guidelines note that one should understand how each element relates to the cultural heritage of the property, protect/maintain adjacent character-defining elements during works, repair instead of replace heritage attributes as well as document the existing status and subsequent changes for future reference.

When considering exterior form alterations that could impact a cultural heritage attribute, the Standards and Guidelines note that one should retain the exterior form by maintaining proportions/colour/massing/spatial relationships with adjacent buildings; accommodate new functions/services in non-character defining interior spaces; select a location for a new addition that ensures the heritage value of the place is maintained; design a new addition so that it is compatible in terms of its materials/massing with the exterior form and its related setting; and add new features to meet sustainability requirements (like solar panels) while respecting the exterior form and minimizing impacts to character-defining elements. When considering exterior walls, the Standards and Guidelines note that one should retain sound/deteriorated exterior wall assemblies that can be repaired; test proposed interventions to establish the appropriate methodology; modify exterior walls to accommodate a new use that respects the building’s heritage value; design a new addition in a manner to preserve character-defining exterior walls; and alter a non character-defining exterior wall assembly/elements from a period other than the restoration period.

When considering entrances/porches the Standards and Guidelines note that one should assess the condition of entrances/porches early in the process to ensure changes are based on current conditions; retain sound/repairable entrances/porches and their functional/decorative elements; and replace/design a new entrance/porch required by a new use that is compatible with the building’s style/era/character. When considering masonry, the Standards and Guidelines note that one should protect/maintain masonry by preventing water penetration/maintain proper drainage and retain sound/repairable masonry that contribute to the property’s heritage value.

The proposal fulfils the Standards and Guidelines. Importantly, these alterations are proposed at the rear of the property and will have limited interaction with the main heritage building (which

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refers to the lime/sandstone portion of the main farmhouse). Arguably the largest impact on the property is the increase in massing on the northern elevation of the property, which is proposed to support additional living space and a taller shed. This new shed will have an associated loft on the second floor and solar panels on the southern roof pitch. While this north elevation addition will increase the massing of the overall farmhouse, it will be located on the same footprint as the existing attached garage/shed and will be entirely hidden from public view as it is located behind the width of the main heritage building when viewed from the front (southern) façade (Exhibit C). While this new addition would be seen when moving east to west along Highway 2, the Highway's 80-kilometre speed limit as well as the property's large setback and abundance of surrounding trees will make it challenging to see from the public realm.

The design of the proposed northern addition also ensures that it will be subordinate yet sympathetic to the property and main heritage building. The design achieves this by: being lower in height than the main heritage building, proposing a roof pitch that mirrors surrounding outbuildings for the tallest portion of the addition, having composite board and batten siding (Hardie Board) with a grey pine tar vitriol colour from Sage Restoration that emulates nearby barn outbuildings, proposing a dark graphite matte steel roof in a design like associated outbuildings, using flashing that will match the colour of the roof, using a vertical tongue and groove design for the shed, and proposing windows that match the same lite configuration as the main heritage building (Exhibit C). All these design choices will allow the renovated structures to blend harmoniously into the property by emulating the main heritage building and surrounding outbuildings. On the shed's southern facing roof pitch between six to eight solar panels are also proposed with approximately 0.15 metre tall solar racks. This impact is mitigated by proposing a matte dark graphite coloured steel roof in the same style as the one on the large barn outbuilding on the property (Exhibit C). Due to the large setback, the associated dark solar panels should blend into the dark steel roofing from a distance while also being nearly invisible from many views as they would be located behind the main heritage building (Exhibit C). Overall, the proposed design for the rear addition should improve the cultural heritage value of the property as this addition is better designed than the existing addition while also allowing for increased functionality (Exhibits C and D).

Alterations to east and west elevations are also proposed. Along the east elevation, a new addition and associated deck are anticipated to connect to the northern addition. The addition will also have the same composite board and batten siding and roof pitch as the centralized portion of the northern addition, use the same aluminum storm door proposed on the west elevation, be contained behind the main heritage building's width, and have a 0.1 metre reveal from the stone wall of the main heritage building's eastern elevation. The new deck will approximately be the width of the eastern addition and extend north to the newly proposed shed. New railings are not anticipated since the applicant intends to regrade the site to allow the deck to be close enough to the ground to avoid *Ontario Building Code* railing requirements. However, if railings are necessary, they will have a simple guard design that differs from the existing railing on the retained porch along the eastern elevation (Exhibits C and D). Like the addition on the northern elevation, the new eastern elevation addition and associated porch are located and designed to avoid drawing attention from the southern façade of the main heritage building. The proposed addition is within the width of the main heritage building, will have a

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similar sympathetic design as the proposed addition on the northern elevation, and will have a 0.1 metre setback from the eastern stone wall to ensure legibility between new and old while emphasizing its subordination to the main heritage building.

Despite the appropriate design/location of the northern and eastern additions, more of the main heritage building's masonry will be enclosed along the northern elevation. As such, how both additions attach to the building's masonry is a key consideration to ensure reversibility and preservation of masonry. According to the applicant, the finalized details are still being settled but will "most likely be a combination of ledgers anchored into the stone joints and perhaps a ridge beam set into a pocket in the stone wall" (Exhibit C). The applicant noted they were aware of the City's Masonry Policy and will refer to it as they determine the finalized attachment method (Exhibit C). Following the City's Masonry Policy is a condition of approval.

The west elevation will remove the existing enclosed porch and replace it with a covered porch while also rebuilding the exterior basement entrance. The enclosed porch will be removed and a new longer covered porch with less patio depth is proposed in its place. The new porch will have steps along its entire width, an associated steel or wrought iron handrail and five columns for support. The finalized design of the columns have not been determined but will be approved by staff prior to installation. Further, opening this porch will expose the previously hidden window and the door openings as well as more of the building's masonry. The windows will maintain the same lite pattern as the main heritage building and the door opening will accommodate an aluminum storm door. Moreover, the roof of the porch will now extend to include part of the northern board and batten addition, which will also include the same aluminum storm door. The removal of the porch enclosure is a positive impact as more of the masonry and openings (with related details) will be visible while also proposing windows that will be consistent with the rest of the building. However, there will also be a minor impact associated with this change related to the new roof projecting 1.05 metres past the eastern wall of the main building, which will not be hidden by the basement entrance when looking north (Exhibit C). Despite this, the impact is negligible as the focus on the southern façade will remain unaffected. In addition to the porch, the basement entrance will be rebuilt on the existing footprint, have siding made to match the main heritage building's board and batten dormer design, have the same dark graphite steel roof and vertical tongue and groove door as the northern addition, and have the same roof pitch as the main heritage building. Overall, the proposed alterations will make the basement entrance more sympathetic with the western elevation since the material, design and roof pitch will be consistent with other additions and/or main heritage building.

While there will be limited heritage impacts, namely the enclosure of portions of the northern masonry wall, these works are reversible and allow the property to achieve greater functionality. To counter this impact, more of the building's masonry and associated openings along the western elevation will become visible by opening the porch. In addition, the design of all proposed additions is sympathetic to the main heritage building and the surrounding outbuildings, but, more importantly, have a consistent and coherent design across all newly proposed farmhouse additions (unlike the current additions). Overall, the proposed design changes and updated additions should enhance the heritage value of the subject property while not detracting from the importance of the farmhouse's southern façade.

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Staff are of the opinion that the subject application will uphold the heritage conservation objectives set out within the City of Kingston's Official Plan, the Ministry of Citizenship and Multiculturalism's Eight Guiding Principles in the Conservation of Built Heritage Properties, and Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada. Broadly, the application will:

- Achieve the goal of Section 7.0 (City of Kingston Official Plan): Conserve and enhance built heritage resources within the City so that they may be accessed, experienced and appreciated by all residents and visitors, and retained in an appropriate manner and setting, as a valued public trust held for future generations.
- Achieve Guiding Principle Numbers 2, 3, 6 and 7:
 - Respect for the original location – Do not move buildings unless there is no other means to save them. Site is an integral component of a building. Any change in site diminishes heritage value considerably.
 - Respect for historical material – Repair or conserve rather than replace building materials and finishes, except where absolutely necessary. Minimal intervention maintains the historical content of the resource.
 - Reversibility – Alterations should be able to be returned to original conditions. This conserves earlier building design and technique. For instance, when a new door opening is put in a stone wall, the original stones are numbered, removed and stored, allowing for future restoration.
 - Legibility – New work should be distinguishable from old. Buildings should be recognized as products of their own time, and new additions should not blur the distinction between old and new.
- Achieve Standards 3, 5 and 9 of Parks Canada's Standards and Guidelines:
 - Conserve heritage value by adopting an approach calling for minimal intervention.
 - Find a use for a historic place that requires minimal or no change to its character-defining elements.
 - Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.

Previous Approvals

None

Comments from Department and Agencies

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

Building Services:

No comment received by the deadline. As a condition of approval, the applicant is required to contact Building Services and obtain a building permit for the proposed work should it be deemed necessary.

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Engineering Services – General:

Development Engineering has no concerns with this application.

Planning Services:

No concerns.

Consultation with Heritage Kingston

The Kingston Heritage Properties Committee was consulted on this application through the [DASH](#) system. Heritage Services has received comments from two members of the Kingston Heritage Properties Committee. The Committee's comments have been compiled and attached as Exhibit E as well as summarized below.

One member congratulated the property owner and their designer for the high-quality proposal.

Another member noted that the project appears to have been carefully considered and designed to complement the existing main farmhouse. However, they expressed concern that the newly proposed windows would be consistent with the existing vinyl windows on the farmhouse and advised that metal clad double hung wood windows with exterior muntin bars should be explored based on historical evidence. Further, they noted that when the existing vinyl windows are due for replacement that they be removed and replaced with more historically appropriate windows. In addition, they noted that the proposed aluminum doors should be substituted with a more sympathetic design, specifically a wood door. Finally, they expressed their preference for a standing seam metal roof over the proposed metal roofing that exists on surrounding outbuildings.

Conclusion

Staff recommends approval of the application File Number: P18-097-2023, subject to the conditions outlined herein, as there are no objections from a built heritage perspective, and no concerns have been raised by internal departments.

Existing Policy/By-Law:

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

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

City of Kingston Official Plan

By-Law Number 2023-38 Procedural By-Law for Heritage

Designation By-Law 30-82

January 24, 2024

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Policy on Masonry Restoration in Heritage Buildings

Notice Provisions:

Pursuant to Section 33(4) of the *Ontario Heritage Act (OHA)*, notice of receipt of a complete application has been served on the applicant.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Joel Konrad, Manager, Heritage Planning, 613-546-4291 extension 3256

Phillip Prell, Intermediate Planner, Heritage 613-546-4291 extension 3219

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Mapping Information

Exhibit B Designation By-Law Number 30-82

Exhibit C Architectural Plans, Additional Follow Up Comments & Applicant Site Photos

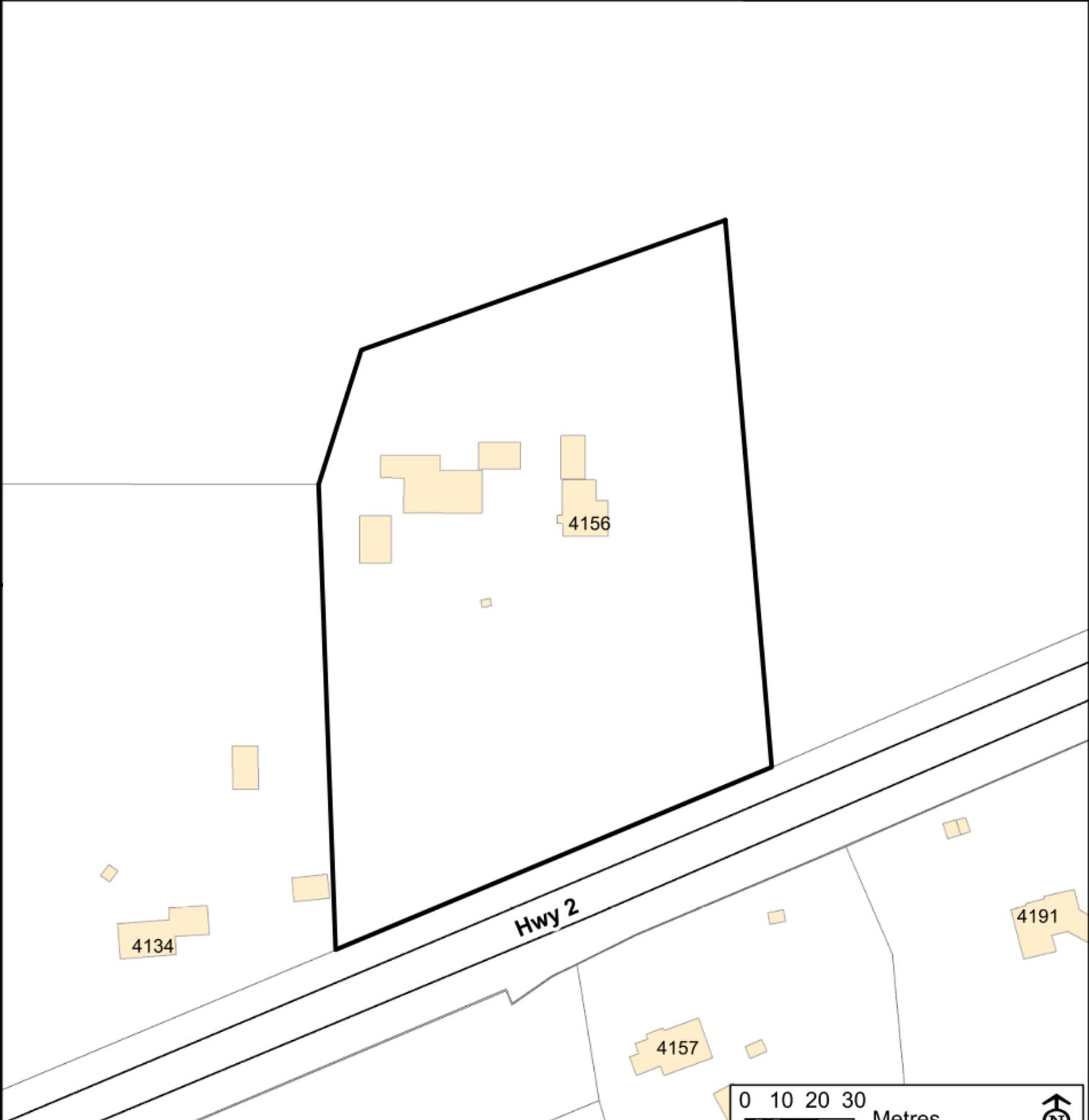
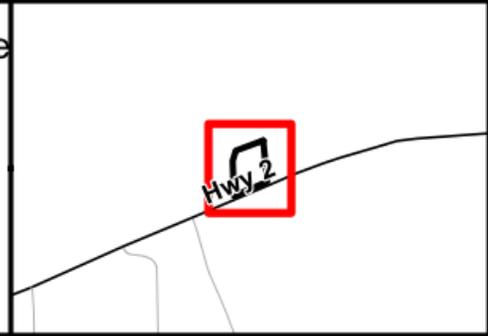
Exhibit D Site Visit Pictures

Exhibit E Correspondence Received from the Kingston Heritage Properties Committee

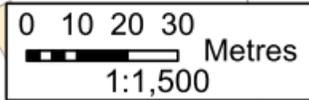


Kingston Heritage Properties Committee
Key Map
Address: 4156 Highway 2
File Number: P18-097-2023

 Subject Lands



Prepared By: lchu
Date: Dec-18-2023



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Kingston Heritage Properties Committee

Neighbourhood Context (2023)

Address: 4156 Highway 2

File Number: P18-097-2023

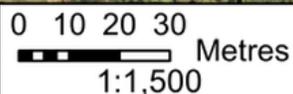
Subject Lands

Property Boundaries

Proposed Parcels



Hwy 2



Prepared By: lchu
Date: Dec-18-2023

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THE CORPORATION OF THE TOWNSHIP OF PITTSBURGH
BY-LAW NO. 30-82

A By-law to designate certain properties as properties of historic or architectural value or interest.

WHEREAS Section 29 of The Ontario Heritage Act, R.S.O. 1980, Chapter 337, authorizes the Council of a Municipality to enact by-laws to designate property to be of historic or architectural value or interest;

AND WHEREAS notice of intention to designate certain properties within the municipality was served on the owners of the properties and on The Ontario Heritage Foundation on the 20th day of January, 1981 and was published in the Whig Standard, a newspaper having general circulation in the municipality, on January 24th, 31st and February 7th, 1981;

AND WHEREAS the reasons for designation are set out in Schedule "B" attached hereto;

AND WHEREAS no notice of objection to the following proposed designations have been served on the Clerk Administrator.

THEREFORE the Council of The Corporation of the Township of Pittsburgh ENACTS AS FOLLOWS:

1. There are designated as being of historic and architectural value or interest the following properties:
 - a). Lot 18, Plan 744, Norma Whitney, owner.
 - b). Part of the east half of lot C, adjoining the Military Reserve; Ruth L. Stanley, owner.
 - c). Parts of lots 1 and C, East of the Great Cataraqui River; Jennie Grace McBroom, owner.
 - d). Part of lot 74, Plan 1139, Fort Henry Reserve; Henry Cartwright, owner and Jean Graves, lessee.
 - e). Part of lot 37, Concession 3; Gordon Robertson Sparks and Sandra Madeline Sparks, owners.
2. There are designated as being of architectural value or interest the following properties:
 - a). Part of lot D, adjoining the Military Reserve; Marion Fleming, owner.
 - b). Part of lot 35, Concession 3; Grant Maitland, owner.
 - c). Part of the west half of lot 33, Concession 3; Percival Millious, owner.
3. All of the above mentioned properties are more particularly described in Schedule "A" attached hereto.

...../2

4. This by-law shall come into force and take effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 18th DAY OF October, 1987.

Beulah N. Webb

Mrs. Beulah N. Webb AMCT
Clerk Administrator

Hans Westenberg

Hans Westenberg
Reeve

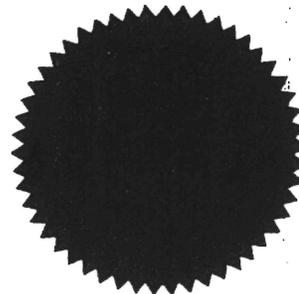
READ A THIRD TIME AND FINALLY PASSED THIS 18th DAY OF Oct. , 1987.

Beulah N. Webb

Mrs. Beulah N. Webb AMCT
Clerk Administrator

Hans Westenberg

Hans Westenberg
Reeve



- a). ARCHITECTURAL DESCRIPTION: The Ramsay/Sibbit House is a two storey residence which is rectangular in plan. The north facade is of coursed, cut limestone, and the other walls are of squared rubble. The south-east and south-west corners are articulated with hammer-dressed quoins, flush with the wall surface. The medium pitched end gabled roof has two joined limestone chimneys, one at the east and one at the west end of the gable.

All the windows are original; all are flat headed and are double hung with six lights per sash. Radiating voussoirs and stone lugsills finish each window opening.

The north facade is composed of three bays. The centered doorway is recessed, has a semi-elliptical fanlight, and is framed by a pair of four-paned sidelights with moulded side panels. The opening is flat-headed with radiating voussoirs. There is a window on either side of the door on the first storey, and three windows in the upper storey. A low pitched, hipped roof verandah runs the length of the main facade, supported by four wooden tuscan columns. It is a later addition.

There are two lower storey windows on both the east and west facades. The small vent on the upper right attic section of the west facade has a lugsill and radiating voussoirs and was formerly a window opening.

The south facade has three windows on the upper storey, the centre window being of a slightly lower elevation. Two windows flank the plain trim central doorway on the lower storey.

A three foot limestone dry wall fence extends along the north end of the property, parallel to the highway.

HISTORY: James Ramsay acquired Lot D in 1839, and built the stone house between 1846 and 1851. He was a prominent resident of Pittsburgh Township, being a writer who specialized in literary, scientific and political topics. His talks were often reported in the Kingston Chronicle and Gazette. Ramsay sold the land to Edward Sibbit in 1874, and the house has remained in the family's possession ever since. The Sibbits named the house Allerdean Hall after the family home in Ancroft, Scotland.

- b). Part lot 35, Concession 3 owner: Grant Maitland

Original Owner: William Stark

Date of Construction: c. 1850

ARCHITECTURAL DESCRIPTION: The Stark House is a one and a half storey, T-shaped plan farm house constructed of coursed, cut sandstone and limestone.

...../8

- b). The medium pitched hipped gambrel roof and the intersecting dormer windows on the south facade are a unique feature in this area. According to an illustration of the house in Meacham's Historical Atlas of Frontenac, Lennox and Addington Counties, 1878, the original roof was end gabled and the roof line was uninterrupted. Three gable dormer windows intersect the roof line and are incorporated into the limestone/sandstone facade. The sides of the dormers are trimmed with decorative fretwork brackets. There are quoins at the side of each dormer window.

Single brick chimneys are located at the centre of the east and west ends of the roof.

The south facade is articulated by squared ashlar quoining at the corners and around the door and window openings. The doorway consists of a semi-elliptical fanlight, sidelights of delicate curvilinear tracery and moulded side panels. There are alternating radiating ashlar voussoirs above the doorway. Single windows on either side of the door have limestone lugsills and ashlar lintels. The door and both these windows have dropped keystones. On the second storey are the dormer windows, previously described.

All the windows are double hung with two lights per sash, unless otherwise mentioned. The remaining windows to be described have radiating voussoirs and stone lugsills.

The west facade has one window on the lower north side, and two upper storey windows. A gable roofed stone shed extends from the centre of the lower storey. The east facade has two upper and two lower storey windows. The south facade has a plain entrance on the east side which lacks voussoirs.

A two bay, one and a half storey hipped gambrel wing extends from the centre of the north facade. The east and west facades of this wing have two dormer windows and two lower storey windows. The dormers are similar to those on the front facade, but lack the brackets and quoining decoration. A one storey shiplap shed extends from the right side of the north facade.

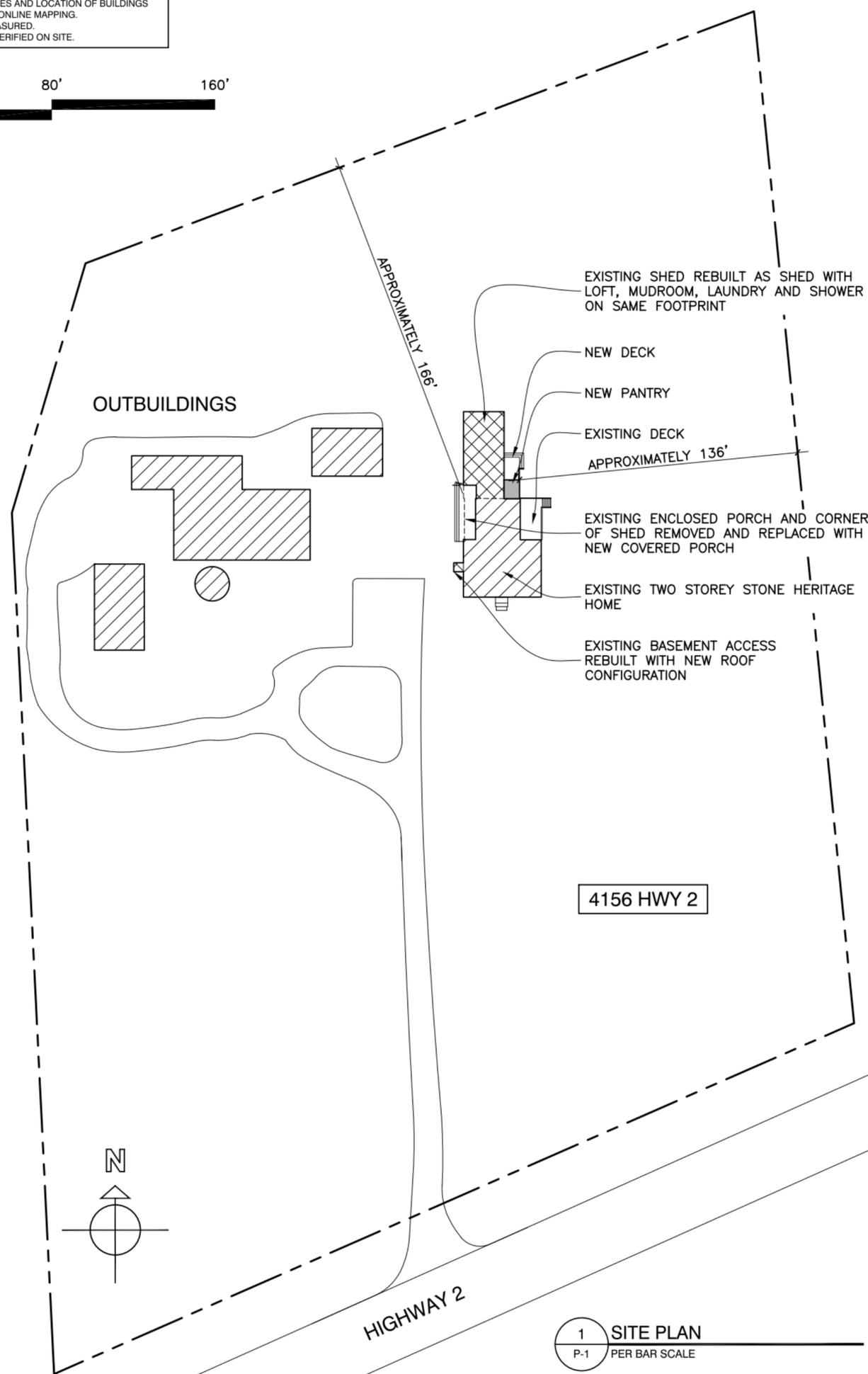
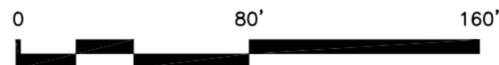
There are two end gabled outbuildings which have been in existence since at least 1878: a driveshed located just west of the house, and a smaller building south west of the house. Both are of random coursed sandstone, rectangular in plan and one and a half storeys high.

HISTORY: In 1825, Alexander Stark bought Lot 35, Concession 3, from John Small. His son William built the stone farmhouse about 1850 and it remained in the Stark family until 1918, when Thomas C. Stark sold it to George Maitland. The Starks are remembered as a prosperous farming family and they won many prizes at the local agricultural fairs. The farm has been in the Maitland's possession for over sixty years.

...../9

PLOT PLAN NOTES

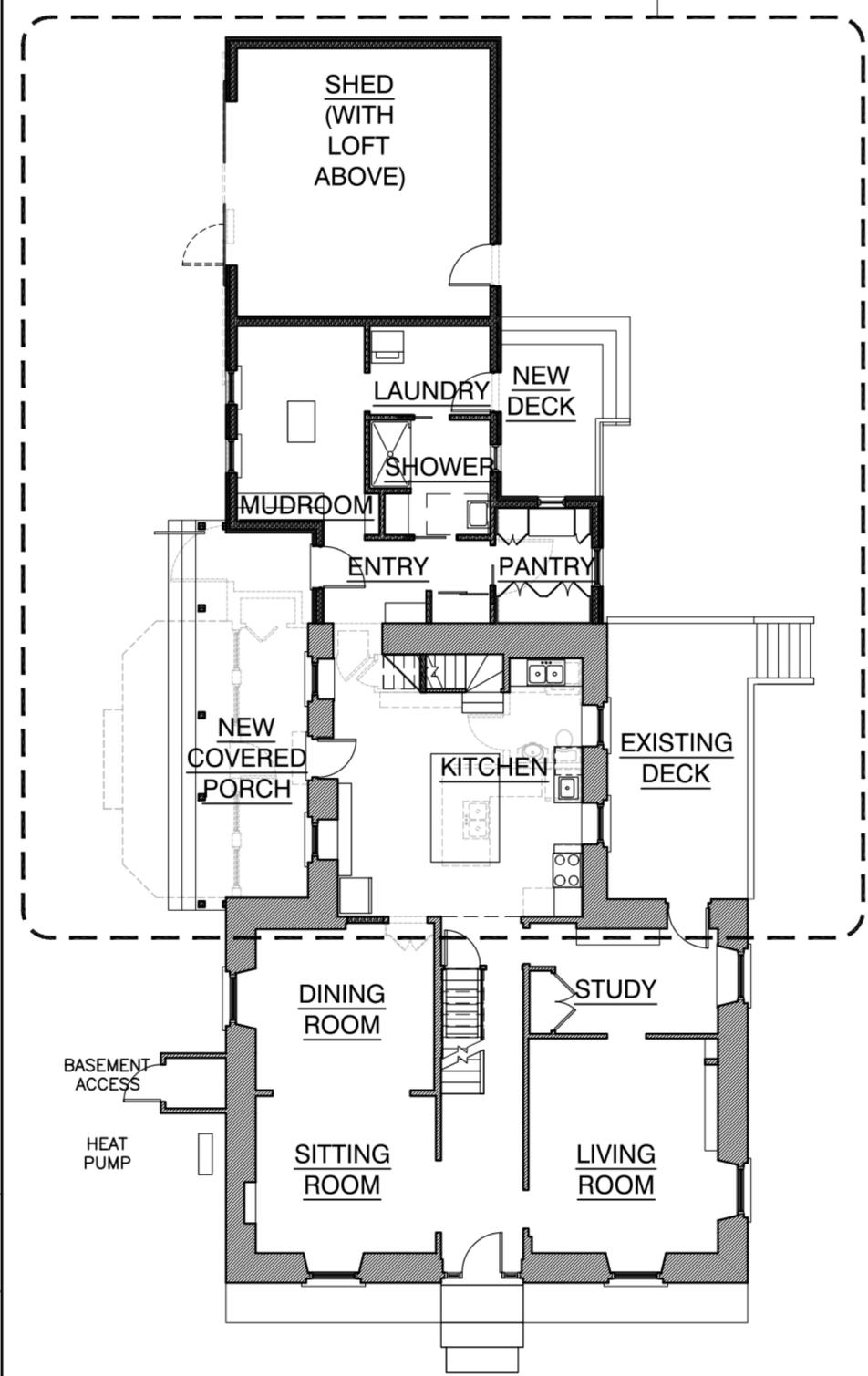
1. SITE PLAN, PROPERTY LINES AND LOCATION OF BUILDINGS ARE APPROXIMATED FROM ONLINE MAPPING.
2. SECOND FLOOR NOT MEASURED.
3. ALL DIMENSIONS TO BE VERIFIED ON SITE.



1 SITE PLAN
P-1 PER BAR SCALE

WALL KEY

- EXISTING WALL RETAINED
- EXISTING WALL REMOVED
- NEW WALL



2 FULL GROUND FLOOR PLAN
P-1 1/8" = 1'-0"



MikaelaArchitect@gmail.com
Certificate of Practice 3867

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DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Dec 05, 2023, 1:59pm

#	D/M/Y	REVISION DETAILS
1	09/11/23	FOR HERITAGE

PROJECT
RENOVATIONS TO THE
WHEELER KEILLOR
HOME
4156 HWY 2, KINGSTON
DRAWING
PROPOSED
SITE AND FULL
GROUND FLOOR
PLANS
DRAWN BY MJH
DATE 8 Nov., 2023
SCALE AS NOTED
PRINT ON 18x24 PAPER

Mikaela Hughes Architect Inc.
82 OAK POINT ROAD, WOLFEE ISLAND ON K0H 2Y0 613-544-9183

JOB NO.
2304
DWG. NO.
P-1

REV. NO.
1

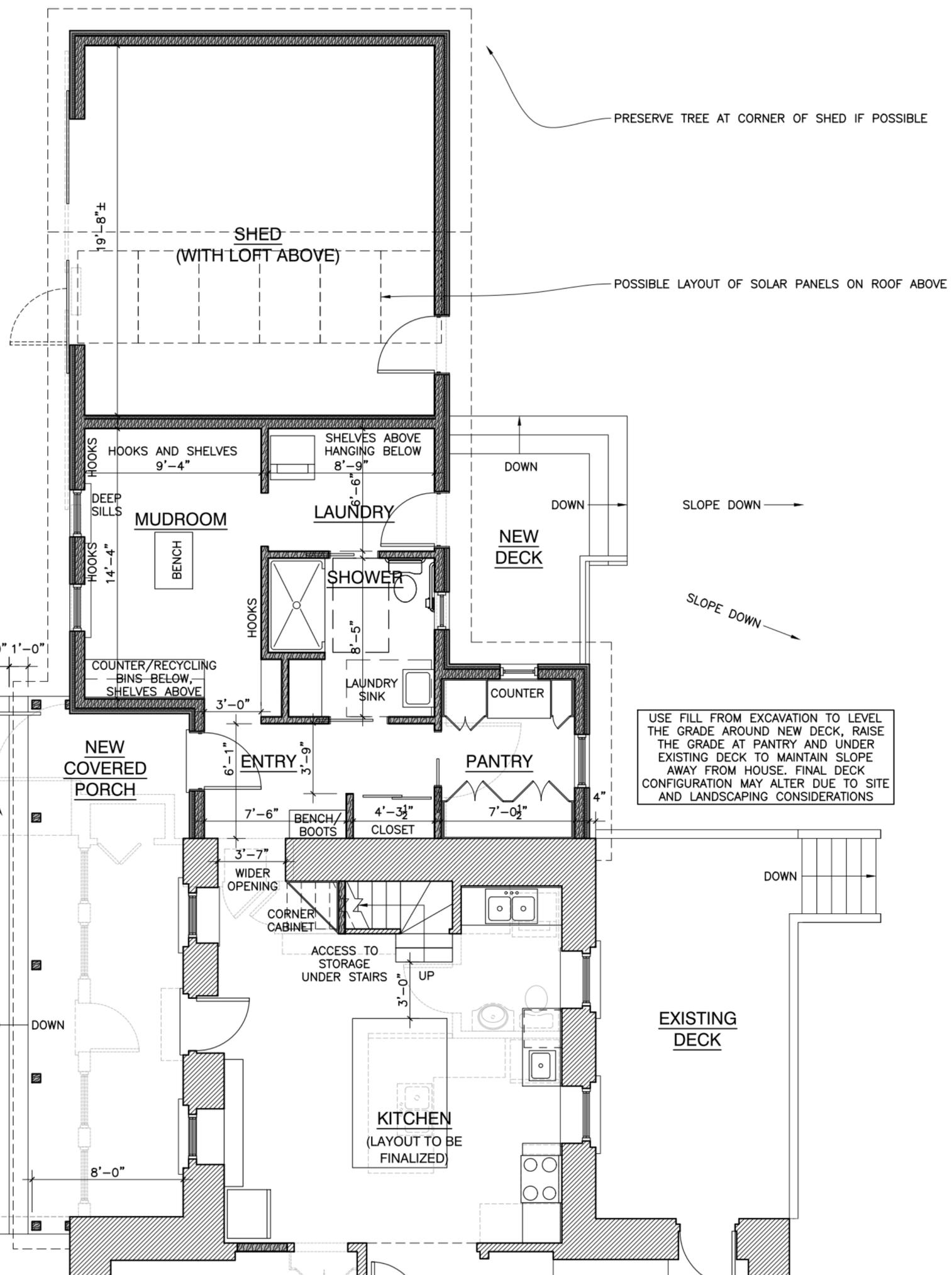
WALL KEY

- EXISTING WALL RETAINED
- EXISTING WALL REMOVED
- NEW WALL



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CONTINUOUS STAIRS ALONG WEST SIDE OF PORCH

USE FILL FROM EXCAVATION TO LEVEL THE GRADE AROUND NEW DECK, RAISE THE GRADE AT PANTRY AND UNDER EXISTING DECK TO MAINTAIN SLOPE AWAY FROM HOUSE. FINAL DECK CONFIGURATION MAY ALTER DUE TO SITE AND LANDSCAPING CONSIDERATIONS

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Dec 05, 2023, 1:59pm

#	D/M/Y	REVISION DETAILS
1	09/11/23	FOR HERITAGE

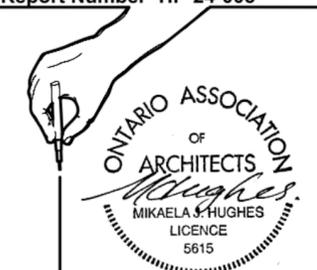
Mikaela Hughes Architect Inc.
82 OAK POINT ROAD, WOLFEE ISLAND ON K0H 2Y0 613-544-9183

PROJECT: RENOVATIONS TO THE WHEELER KEILLOR HOME
4156 HWY 2, KINGSTON

DRAWING: PROPOSED PARTIAL GROUND FLOOR PLAN

DRAWN BY: MJH
DATE: 8 Nov., 2023
SCALE: 1/4" = 1'-0"
PRINT ON 18x24 PAPER

JOB NO. **2304**
DWG. NO. **P-2**
REV. NO. **1**

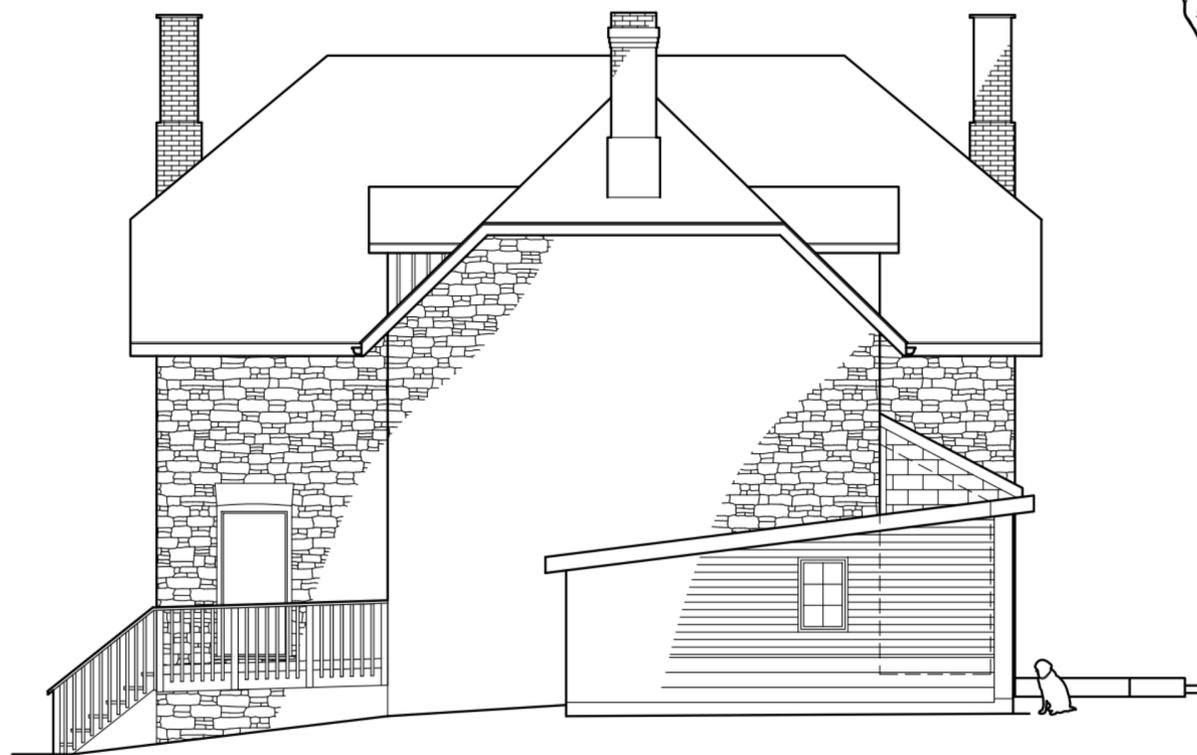


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X-S EXISTING SOUTH ELEVATION
P-3 3/16" = 1'-0"

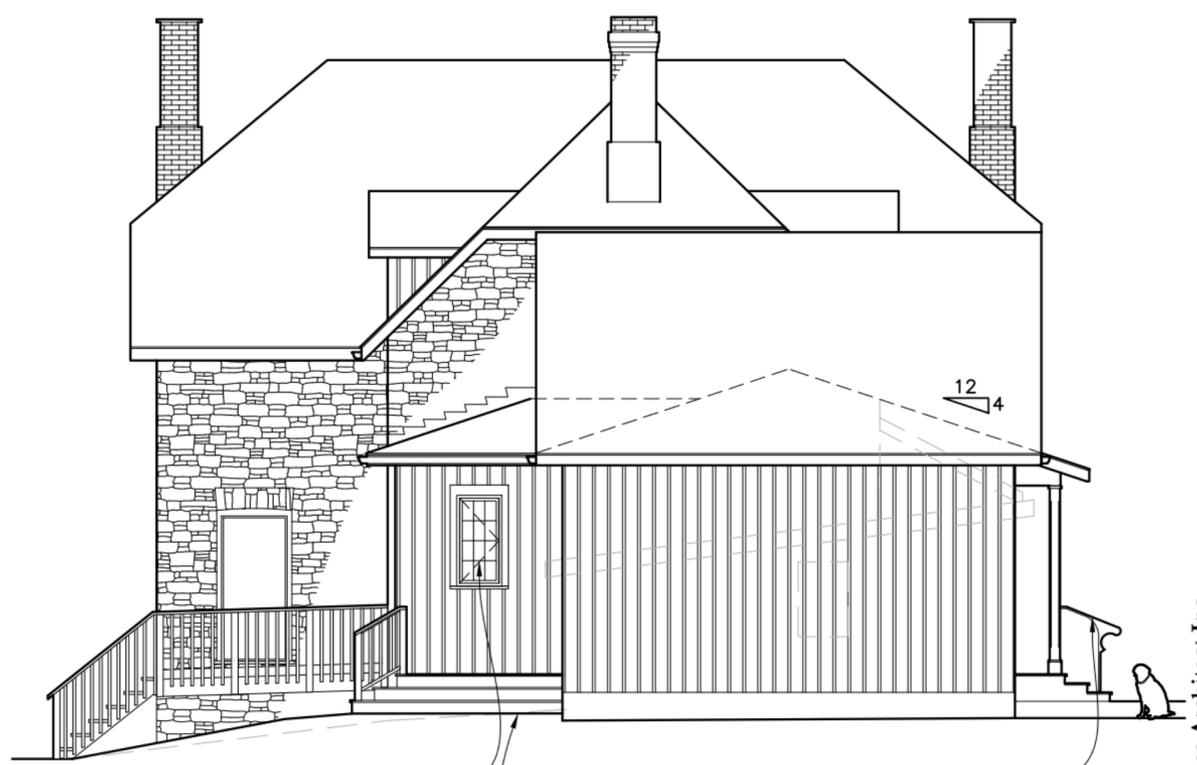


X-N EXISTING NORTH ELEVATION
P-3 3/16" = 1'-0"



BASEMENT ACCESS ALTERED TO MATCH DORMERS (SEE WEST ELEVATION)

P-S PROPOSED SOUTH ELEVATION
P-3 3/16" = 1'-0"



PANTRY AND BATHROOM WINDOWS: SEE NOTE ON DRAWING P-5

HANDRAIL TO BE DESIGNED

LEVEL PAVERS AT BOTTOM OF STEPS

P-N PROPOSED NORTH ELEVATION
P-3 3/16" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Dec 05, 2023, 1:59pm

#	D/M/Y	REVISION DETAILS
1	09/11/23	FOR HERITAGE

PROJECT
RENOVATIONS TO THE
WHEELER KEILLOR
HOME
4156 HWY 2, KINGSTON
DRAWING
EXISTING & PROPOSED
SOUTH & NORTH
ELEVATIONS

DRAWN BY MJH
DATE 8 Nov., 2023
SCALE AS NOTED
PRINT ON 18x24 PAPER

JOB NO.
2304
DWG. NO.
P-3

Mikaela Hughes Architect Inc.

82 OAK POINT ROAD, WOLFEE ISLAND ON K0H 2Y0 613-544-9183

REV. NO.
1

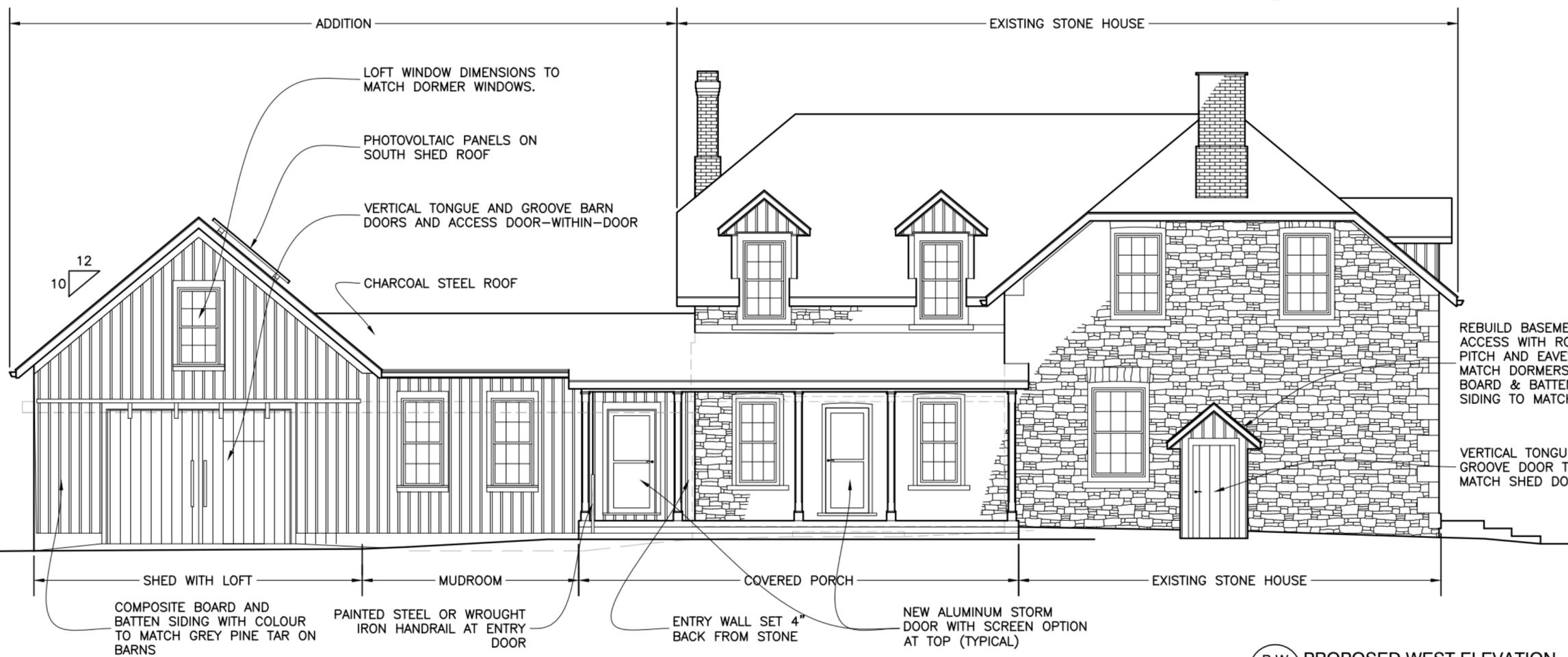


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X-W EXISTING WEST ELEVATION
P-4 3/16" = 1'-0"



P-W PROPOSED WEST ELEVATION
P-4 3/16" = 1'-0"

DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Dec 05, 2023, 1:59pm

#	D/M/Y	REVISION DETAILS
1	09/11/23	FOR HERITAGE

PROJECT RENOVATIONS TO THE WHEELER KEILLOR HOME
4156 HWY 2, KINGSTON
DRAWING EXISTING AND PROPOSED WEST ELEVATION

DRAWN BY MJH
DATE 8 Nov., 2023
SCALE AS NOTED
PRINT ON 18x24 PAPER

JOB NO. **2304**
DWG. NO. **P-4**
REV. NO. **1**

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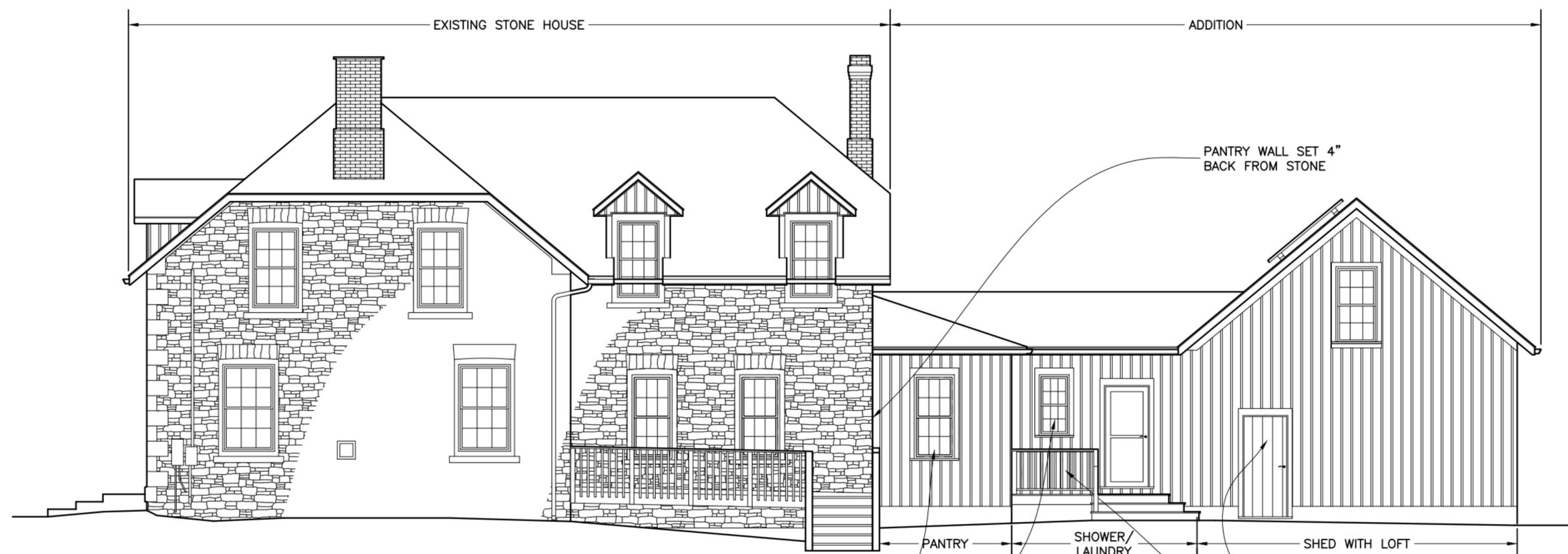


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X-E EXISTING EAST ELEVATION
P-5 3/16" = 1'-0"



PANTRY WALL SET 4" BACK FROM STONE

PANTRY SHOWER/LAUNDRY SHED WITH LOFT

WINDOW TO MATCH MUDROOM WINDOWS
WINDOW SIZE AND HEIGHT IN BATHROOM AND PANTRY TO BE DETERMINED (TO MATCH DOOR HEIGHT OR PANTRY WINDOW HEIGHT). WINDOWS MAY BE CASEMENT OR DOUBLE HUNG AT OWNER'S DISCRETION

ACCESS DOOR TO MATCH BARN DOORS ON WEST SIDE OF SHED
GUARD IF DECK > 2' ABOVE GRADE

P-E PROPOSED EAST ELEVATION
P-5 3/16" = 1'-0"

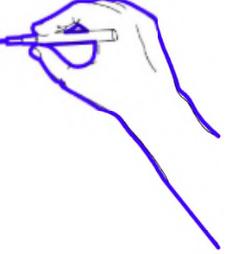
DESIGN ONLY - NOT FOR CONSTRUCTION
PLOTTED: Dec 05, 2023, 1:59pm

1	09/11/23	FOR HERITAGE
#	D/M/Y	REVISION DETAILS

PROJECT RENOVATIONS TO THE WHEELER KEILLOR HOME
4156 HWY 2, KINGSTON
DRAWING AS-EXISTING NORTH AND EAST ELEVATIONS
DRAWN BY MJH
DATE 8 Nov., 2023
SCALE AS NOTED
PRINT ON 18x24 PAPER

Mikaela Hughes Architect Inc.
82 OAK POINT ROAD, WOLFEE ISLAND ON K0H 2Y0 613-544-9183

JOB NO. **2304**
DWG. NO. **P-5**
REV. NO. **1**



Phillip Prell, M.Pl, RPP, MCIP
Intermediate Planner, Heritage Services
216 Ontario Street
Kingston Ontario, K7L 2Z3

December 5, 2023

Dear Philip,

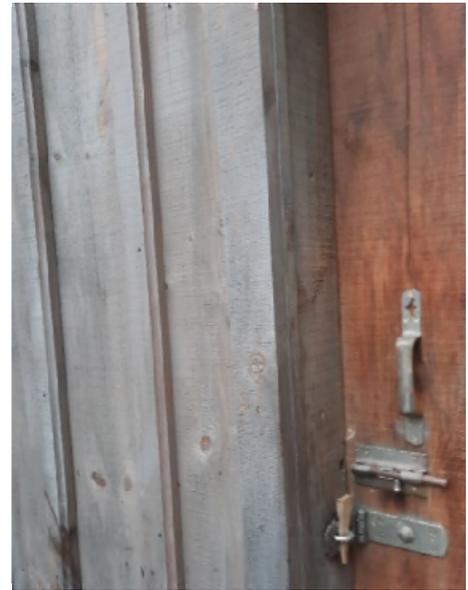
Re: 4156 Hwy 2 - P18-097-2023

In consultation with the owners of 4156 Highway 2, I have put together this package to answer some of your initial questions and include some additional details to clarify the intention of the design.

- How will the rear addition be anchored to the stone?
 - o The details of the addition are still being worked out but will most likely be a combination of ledgers anchored into the stone joints and perhaps a ridge beam set into a pocket in the stone wall. We are aware of the City's Masonry Policy and will be referring to it when the details are developed.
- What is the colour/finish of the flashing that will abut the stone building?
 - o The flashings will match the colour of the roofing. The portion of the house where the additions will be added does not have regular stone courses, so the coordination of the flashings with the stone joints will need to be carefully worked out on site.
- What is the proposed design for the charcoal steel roof? Will it be a matte finish? Can you send a colour sample for review?
 - o Roof colour and profile: <https://www.havelockmetal.com/product/delta/> Colour: dark graphite, matte finish. This is the product that is on the big barn as seen in the photo below.
 - o We can bring a sample to the roundtable.



- Staff advocate for standing seam where possible (with at least 16 to 20 inch seams). Would your client be okay with a standing seam roof or just the steel one?
 - o The owners would prefer to use the steel roof to match the barn.
- Is there any interest in applying the charcoal steel roof to the rest of the house/basement access?
 - o Yes, there is interest, but when finances permit and/or the shingles need to be replaced. Can this future modification be approved now so that a new heritage permit will not be required?
 - o The basement access will have the new roofing to match.
- Can a colour sample be provided for the board and batten siding that is noted as grey pine tar finish?
 - o The siding for the addition will be a composite material by James Hardie or similar (<https://www.jameshardie.ca/>) with dimensions and factory applied colour to match the grey pine-tar finished board and batten siding of the barns (pine tar vitriol from Sage Restoration: <https://sagerestoration.com/collections/pine-tar/products/grey-pine-tar-vitriol?variant=13684113604654>).
 - o A photo of the existing barns is included below and a close-up of the siding colour on the right.



- Samples of possible colours will be requested from the manufacturer(s) so that the owners can compare them to the barns on site for the most accurate match. The samples and/or photos of them against the barn siding can be provided at that time.
- Regarding the solar panels, how many will be added and how much will they project off the roof?
 - There will be 6 portrait orientation (or 8 landscape orientation) panels measuring 64.5" x 38.5".
 - The racks are approximately 5" high.
 - Photos of solar panels on the big barn are included below. They pretty much disappear against the dark roofing, particularly from a distance.

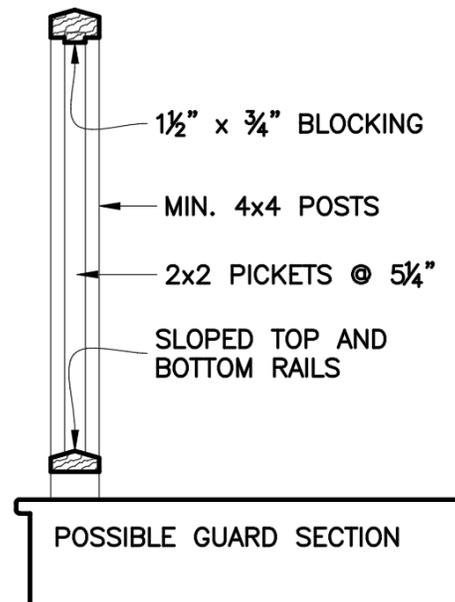


- Will the new windows have true divided lites? It is our preference that these features have exterior muntin bars where possible.
 - No. The intention is for the new windows to match the existing ones, which unfortunately were replaced by previous owners. The existing ones are white vinyl with interior muntins. The new ones would most likely be fiberglass or vinyl.

- The intention of having the interior muntins is so that the new windows will match the existing ones during the day (reflections on the glass will be the same) or at night (muntins will be visible because of the light inside the house) and not stand out as something different.
- What design for casement windows are you considering as an alternative?
 - If casement windows are used in the pantry and/or shower room, they would be the same overall dimensions as the equivalent double hung window.
 - Since all the other windows are double hung, casements could be made with a horizontal bar at the centre to emulate a double hung window, similar to the photo at the right but with muntins as described above.



- Can additional information be provided on the guards and handrails? What will their colour/finish be? What is their design/spacing? Even examples that generally show what is proposed can be helpful.
 - We are trying to avoid any new guards and are hoping to raise the grade sufficiently at the back deck that they won't be required.
 - If a guard is necessary, it will not match the ones on the existing deck, which are minimum building code guards without a bottom rail. A simple guard with sloped rails and infill pickets is the likely choice for the guard itself.



- The newel posts and handrail are still at the design stage. These, and the porch columns, are an opportunity for the owners to put their own creativity and craft into the details, as illustrated by the preliminary sketches below.
- As any designer knows, details like this take time to develop, and can include historical research and perhaps even finding original examples of the same vintage as the house at architectural salvage companies like Legacy and Balleycanoe for reuse, inspiration or replication. The owners have the tools and skills to turn wood, and can make the new porch a very special addition to the house.



Best wishes,

M. Hughes

Mikaela Hughes

B. Arch., M. Phil., O.A.A, MRAIC















STINSON
& SON LTD.











Staff Site Visit Photos 11-28-23







Kingston Heritage Properties Committee

Summary of Input from Technical Review Process

P18-097-2023

Committee Members	Comments Enclosed	No Comments Provided	No Response Received
Councillor Glenn			X
Councillor Oosterhof			X
Jennifer Demitor			X
Gunnar Heissler			X
Alexander Legnini			X
Jane McFarlane	X		
Ann Stevens	X		
Peter Gower			X
Daniel Rose			X



where history and innovation thrive

City of Kingston
216 Ontario Street
Kingston, Ontario
Canada, K7L 2Z3

Website: www.cityofkingston.ca

TTY: Dial 613-546-4889

Date:	December 19, 2023
Form:	Kingston Heritage Properties Committee Reviewer Form
Reviewer Name:	Ann Stevens
Application Type:	Heritage Permit
File Number:	P18-097-2023
Property Address:	4156 Hwy 2

Description of Proposal:

The applicant seeks to remove an existing enclosed porch and uninsulated sheds at rear of house and replace with a new covered porch, shed and finished interior space on the same footprint with the new pantry and deck extending on the east side. In addition they seek to, replace the existing basement access with a new versions of similar size but with details to match the rest of the house. Further, one tree will need to be removed where the pantry is to be located and a second one may be irreparably damaged when the new foundation is excavated. The owners continue to plant mature trees on the property, but not associated specifically with this project. They also seek to install solar panels on the roof of the rear shed/loft.

Comments for Consideration on the Application:

Recommended Conditions for the Application:



City of Kingston
216 Ontario Street
Kingston, Ontario
Canada, K7L 2Z3

Website: www.cityofkingston.ca

TTY: Dial 613-546-4889

where history and innovation thrive

Date:	December 19, 2023
Form:	Kingston Heritage Properties Committee Reviewer Form
Reviewer Name:	Jane McFarlane
Application Type:	Heritage Permit
File Number:	P18-097-2023
Property Address:	4156 Hwy 2

Description of Proposal:

The applicant seeks to remove an existing enclosed porch and uninsulated sheds at rear of house and replace with a new covered porch, shed and finished interior space on the same footprint with the new pantry and deck extending on the east side. In addition they seek to, replace the existing basement access with a new versions of similar size but with details to match the rest of the house. Further, one tree will need to be removed where the pantry is to be located and a second one may be irreparably damaged when the new foundation is excavated. The owners continue to plant mature trees on the property, but not associated specifically with this project. They also seek to install solar panels on the roof of the rear shed/loft.

Comments for Consideration on the Application:

The proposed addition seems to have been carefully considered and designed to complement the existing 1850s house and it is unfortunate and perhaps shortsighted that previous unsuitable window modifications to this property may be influencing some of the current decisions.

The choice of vinyl windows with interior muntins to match existing unsympathetic window alterations should be reconsidered. Given the expected lifetime of roughly 20 years for replacement vinyl windows, the option of selecting suitable new windows with exterior muntins should be explored. Best practice would have the applicant investigate whether historic physical (on the property) or photographic evidence exists of the original windows, and doors, before deciding on their design. If this evidence is unavailable the windows on the new addition could reference the original designation description of windows "double hung with two lights per sash" made of metal clad wood with exterior muntins, similar to the photo example provided by the Architect on page 4 of December 5, 2023, letter to Planner. These windows would be more appropriate and sympathetic to the main building but different from what currently exists, just as the addition should be designed as complimentary but distinct from the main building. In the future when the vinyl windows on the main house are due for replacement the option for choosing more historically appropriate windows remains viable.

The proposed two aluminum doors on the west elevation and one on the east, should also be reconsidered. More sympathetic to the design would be to source and repurpose old historically appropriate doors or perhaps have half or 2/3 lite 2 over 2 exterior wood doors fabricated along with a removable seasonable screen door for ventilation made to match.

Regarding the roofing material, the most appropriate, complementary and recommended choice would be wide (16 to 20" seams) standing seam metal. The barn is clearly an outbuilding, well removed from the main house and as such it is not necessary or advisable to match the roofing. Again, moving forward choosing the most historically suitable, complementary roofing material for the new addition, will enable a more appropriate choice of roofing for the main building when that becomes necessary.

Recommended Conditions for the Application:



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-008

To: Chair and Members of the Kingston Heritage Properties Committee

From: Jennifer Campbell, Commissioner, Community Services

Resource Staff: Kevin Gibbs, Director, Heritage Services

Date of Meeting: January 24, 2024

Subject: Application for Ontario Heritage Act Approval

Address: 53 William Street P18-401

File Number: P18-075-2023

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

The subject property at 53 William Street is located midblock on the north side of William Street, between Wellington Street and King Street East. The property was designated under Part IV of the *Ontario Heritage Act* in 1984 and is also designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District.

An application for partial demolition and construction under Section 42 of the *Ontario Heritage Act* (P18-075-2023) has been submitted to request approval to remove the current entryway vestibule, rebuild it to *Ontario Building Code* standards, and enlarge it by 9.5 square feet (0.88m²) for accessibility purposes.

This application was deemed complete on December 14, 2023. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 42(4). This timeframe will expire on March 13, 2023.

January 24, 2024

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

Recommendation:

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

That the alterations on the property at 53 William Street, be approved in accordance with the details described in the applications (File Number P18-075-2023), which was deemed complete on December 14, 2023, with said alterations to include:

1. The partial demolition of the entryway vestibule; and
2. The rebuild of the entryway vestibule, to include;
 - a. An enlargement of 0.88m²;
 - b. Like-for-like detailing, design and proportions;
 - c. The retention and reinstallation of the existing door and transom;
 - d. The use of any reusable materials; and

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

1. Details, including colour(s), materials and dimensions of the new entryway vestibule shall be submitted to Heritage Planning staff, prior to construction, for final review and approval;
2. The conditions of the current entryway vestibule shall be documented and provided to Heritage Planning staff for record purposes;
3. An Encroachment Permit and/or Temporary Access Permit shall be obtained, where necessary;
4. A Building Permit shall be obtained, where necessary;
5. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application;
6. Any alterations to the drainage are to be done entirely on the subject property and in such a way that adjacent properties are not adversely affected;
7. Ensure compliancy with applicable gas regulations; and
8. Any minor deviations from the submitted plans, which meet the intent of this approval and does not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

January 24, 2024

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

The subject property, with the municipal address of 53 William Street, is located midblock between Wellington Street and King Street East, on the north side of William Street (Exhibit A – Context Map and Site Photos). The subject property is included in the Old Sydenham Heritage Conservation District (HCD) and contains a two-and-a-half storey, two bay, stucco structure designated under Part IV and V of the *Ontario Heritage Act*.

An application for partial demolition and construction under Section 42 of the Ontario Heritage Act (File Number P18-075-2023) has been submitted to request approval to remove the current entryway vestibule, rebuild it to *Ontario Building Code* standards, and enlarge it by 9.5 square feet (0.88m²) for accessibility purposes (Exhibit B – Cover Letter, Project Drawings and Details).

The existing front entry vestibule was inspected and evaluated by a licensed structural engineer who submitted an associated letter (Exhibit C – Structural Engineer Letter) which identified the vestibule as “lacking a foundation and structurally unsound”. The letter notes that the existing vestibule likely has an “uninsulated floor over subgrade soil” which is “subject to heave and settling”, resulting in further movement and subsequent repairs, and recommends that the vestibule be rebuilt to *Ontario Building Code* standards.

The proposed rebuild and enlargement of the vestibule will be completed using like-for-like detailing and proportions, apart from a slightly wider and deeper entryway. The rebuilt vestibule will have new stucco to match the existing and any reusable materials and/or elements will be incorporated into the reconstruction of the entry vestibule; anything that is non-reusable will be recreated in the applicants’ custom wood shop. The existing front door and transom will be retained and reinstalled into the rebuilt entryway vestibule. The roofing material on the vestibule is currently asphalt and will be changed to a dark grey standing seam metal roof (in accordance with prior heritage approval for File Number P18-055-2023).

This application was deemed complete on December 14, 2023. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a heritage building under Section 42(4). This timeframe will expire on March 13, 2024.

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

Reasons for Designation/Cultural Heritage Value

The subject property was designated under Part IV of the *Ontario Heritage Act* in 1984 and is also designated under Part V of the *Ontario Heritage Act* through the Old Sydenham Heritage Area Heritage Conservation District Plan.

January 24, 2024

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Designation By-Law Number 84-65 states the following:

“The placement of this double cottage, far back from the street, provides interesting variety to the streetscape. Built for Henry Gildersleeve before 1830, it was added to in 1843 when the west part of Number 55 was built. Number 53 is remarkably unaltered.”

The Property Inventory Form from the Old Sydenham Heritage Area Heritage Conservation District Plan states the following:

“Built c.1840, this simple cottage, adjoined to a neighbouring cottage, located at 53 William Street, is of cultural heritage value and interest because of its physical/design value.

The property has physical/design value. Character defining elements that reflect this value include its scale and massing. Other elements reflecting its physical/design value include the dwellings two and a half storey stucco construction, two bays wide with a door in the east bay protected by a stucco gable roofed vestibule. A simple dormer adorns the centre of the gabled roof. Importantly this small cottage is unique to the streetscape of Kingston, where almost all houses of this period are near the street line. This dwelling by contrast is set back from the street located at the back of the property line.”

The property is considered Significant to the District. The Old Sydenham Heritage Area Heritage Conservation District Plan Property Inventory Form and By-Law Number 84-65 can be found in Exhibit D.

Cultural Heritage Analysis

Staff visited the subject property on December 19, 2023.

The property at 53 William Street stands out within this portion of Old Sydenham HCD as it has one of the largest front yard setbacks in Old Sydenham, which is not a common feature found in this HCD. The small scale and massing of this residential home also contributes to its character defining elements.

The assessment of this application is summarized below through references to the relevant sections of the Old Sydenham Heritage Area Heritage Conservation District (HCD) Plan.

The subject property is located within the North to Bagot sub-area of the Old Sydenham HCD on the north side of William Street, midblock between Wellington Street and King Street East – having views of Lake Ontario. Section 2.3.2 (North to Bagot) lists several heritage attributes, including “views to the lake down each cross street” and “trees along streets and in the centres of blocks”. Within the sub-area of North to Bagot, small setbacks from the streets are the predominating and defining feature found in the Old Sydenham HCD. The subject property has a large setback extending from the street, with the residence located at the rear of the property. The front yard contains gardens and trees, acting as a unique green space on this block along William Street. Other heritage attributes of the North to Bagot sub-area include the views seen

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down streets, specifically views of Lake Ontario. This setback property has views of Lake Ontario when looking southeast down William Street.

Section 4.3 of the HCD Plan - 'Conservation of Heritage Buildings':

Section 4.3.6 (Foundations) speaks to conservation guidelines, stating that a “foundation with noticeable settlement, cracking or leaning should be inspected by a structural engineer and may have to be rebuilt”.

The applicants obtained a licensed structural engineer, McNeely Engineering LTD., to inspect the entryway vestibule and provided staff with a letter (Exhibit C). This letter stated that the entryway vestibule is currently “lacking a foundation”, that an “uninsulated floor over subgrade soil” is prone to heaving, which creates the need for ongoing repairs, and possible irreversible damage, and that the vestibule is “structurally unsound”. The structural engineer’s review provided the professional recommendation that the entryway vestibule should be rebuilt to meet *Ontario Building Code* (OBC) standards, including a proper foundation and insulation. Rebuilding this vestibule to OBC standards will create a safer entryway, prevent further movement, address accessibility issues and allow for long term protection.

Section 5.0 of the HCD Plan - 'Building Alterations and Additions':

Section 5.2.1 (Alterations) states that “if original materials and construction are available, avoid replacing them with contemporary materials and construction methods”, that “original elements such as windows, doors, porches and verandahs and their details should be retained and restored wherever possible”, and that one should “model replacement features and building forms on the originals in style, size, proportions and materials, whenever possible”.

This application proposes to rebuild and enlarge the front vestibule, a feature that can be seen on the 1908 Fire Insurance map (Exhibit E) and is also identified as a heritage attribute on the Property Inventory Form from the HCD. The rebuild of the vestibule will be modeled based on the vestibule’s original proportions, materials and design. In addition, the applicant has expressed their plans to reuse materials from the existing vestibule wherever possible, including the existing door and transom will be retained during construction and reinstalled into the new vestibule.

Staff supports the proposed removal and rebuild of the entryway vestibule to bring it to OBC standards, and the 9.5ft² (0.88 m²) enlargement of the vestibule for accessibility purposes.

Section 5.2.2 (Additions) states that “additions should avoid causing irreversible changes to the original building” and that “construction of additions should not entail removal” of heritage attributes.

The vestibule has been determined to be structurally unsound by a licensed engineer, who has recommended that the feature should be rebuilt to OBC standards, creating a safer entryway, and ensuring that long term damage to the building is avoided. The rebuild and enlargement of the vestibule will be reconstructed using like-for-like design and proportions, and the existing

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door and transom will be retained and reinstalled. The existing dimensions and plan of the entryway vestibule have been submitted and, as a condition of approval, the applicants will be required to document the existing conditions. This information will be kept on file in our records to allow future renovations to return the vestibule to its current state if desired. Staff agree that modeling the rebuild and enlargement of the vestibule using the existing design and proportions, incorporating any reusable materials, and reinstalling the existing door and transom, this alteration and addition will have a neutral impact on both the property and the District as a whole.

Policy Review

In addition to the above, the application has been reviewed alongside with the City of Kingston's Official Plan, Parks Canada's 'Standards and Guidelines for the Conservation of Historic Places in Canada,' as well as the Ministry of Citizenship and Multiculturalism's Eight Guiding Principles in the Conservation of Built Heritage Properties. Broadly, the application will achieve:

- The goal of Section 7.0 (City of Kingston Official Plan): Conserve and enhance built heritage resources within the city so that they may be accessed, experienced, and appreciated by all residents and visitors, and retained in an appropriate manner and setting, as a valued public trust held for future generations.
- Standard 7 (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- Standard 9 (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.
- Standard 10 (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- Principle 3 'Respect for historical Materials' (Eight Guiding Principles in the Conservation of Built Heritage Properties, Ministry of Heritage, Sport, Tourism and Culture Industries): Repair/conservate rather than replace building materials and finishes except where absolutely necessary.

Summary

Staff have reviewed the application and assessed it in consideration of the description of heritage value in the HCD Plan, Parks Canada's Standards and Guidelines, and the Ministry of Citizenship and Multiculturalism's Eight Guiding Principles in the Conservation of Built Heritage

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Properties. Overall, the application is supported by Heritage Planning staff. The proposal to remove and rebuild the entryway vestibule to meet Ontario Building Code is supportable due to the evidence of the current structural instability, while the modest enlargement is appropriate to allow for accessibility and, moreover, allow the occupants to age in place. Additionally, the enlargement will mimic the existing design and proportions, whilst reusing any salvageable materials, and retaining and reinstalling the existing door and transom. Furthermore, the proposal adheres to Section 4.3.6 and 5.2.1 of the HCD Plan and, due to the subject property's large front yard setback, the modest vestibule enlargement, using like-for-like materials and proportions, will have a neutral heritage impact on property and the District.

Previous Approvals

P18-055-2023: Heritage Act approval to construct a rear addition, construct a new wood deck and change the roof material.

Comments from Department and Agencies

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

Engineering:

No Development Engineering concerns with this application. The applicant may be required to obtain an encroachment permit if they are intending on obstructing municipal property during the proposed works. Information on the required permits can be obtained by contacting transportation@cityofkingston.ca.

Any alterations to the drainage are to be done entirely on this property and in such a way that adjacent properties are not adversely affected.

Utilities Kingston:

Utilities Kingston has no concerns with the Heritage Permit. The applicant is responsible to ensure compliance with applicable gas regulations (B149 etc.) as it relates to the gas metre, etc. on the front.

Building Services:

A Building Permit is required for the proposed construction.

Planning Services:

No concerns.

Environment:

No comments.

Forestry:

No comments.

January 24, 2024

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Kingston Hydro:

No comments.

Consultation with Heritage Properties Committee

The Heritage Properties Committee was consulted on this application through the [DASH](#) system. The Committee's comments have been compiled and attached as Exhibit F.

Conclusion

Staff recommends approval of the application File Number (P18-075-2023), subject to the conditions outlined herein, as there are no objections from a built heritage perspective, and no concerns have been raised by internal departments.

Existing Policy/By-Law:

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

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

Ministry of Citizenship and Multiculturalism's Eight Guiding Principles in the Conservation of Built Heritage Properties

Old Sydenham Heritage Area Heritage Conservation District Plan

Notice Provisions:

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

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Kevin Gibbs, Director, Heritage Services, 613-546-4291 extension 1354

Nicole (Niki) Kensit, Planner, Heritage Services, 613-546-4291 extension 3251

January 24, 2024

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Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Context Map and Site Photos
- Exhibit B Cover Letter, Project Drawings and Details
- Exhibit C Structural Engineer Letter
- Exhibit D Property Inventory Form and Designation By-Law Number 84-65
- Exhibit E Clipping from the 1908 Fire Insurance Map
- Exhibit F Correspondence Received from Heritage Properties Committee
- Exhibit G Final Comments from Kingston Heritage Properties Committee January 24, 2024



Heritage Kingston Committee Neighbourhood Context (2022)

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: Ichu
Date: Jun-06-2023

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Site Photos of 53 William Street



Above: 53 William St. from the sidewalk.

Below: 53 William St. from sidewalk looking northwest and northeast.





Above: Entryway vestibule from driveway.

Below: Entryway vestibule head on.





Above (Left): Entryway vestibule east side.

Above (Right): Entryway vestibule west side.

COVER LETTER
53 WILLIAM VESTIBULE
HERITAGE PERMIT APPLICATION



53 William (right side)

53 William is a simple front to back gable-roofed one and a half storey semi-detached cottage. According to the City of Kingston Property Inventory Evaluation, the Heritage aspect of “this small cottage is unique to the streetscape of Kingston, where almost all houses of this period are near the street line. This dwelling by contrast is set back from the street, located at the back of the property line.” Built in c. 1840, it has received one modern addition to the rear. The property is both Part IV and Part V Heritage designation and within the Kingston Zoning By-Law HCD3 zone.

The proposal before staff and committee is a rebuild and modest 9.5 sf (.88 m²) enlargement of the existing entry vestibule. The structural state of the vestibule is substandard. The current owners, Dr. and Caroline Davies, have contacted Mark Peabody Custom Builder for the design, permits, and rebuilding of the vestibule.

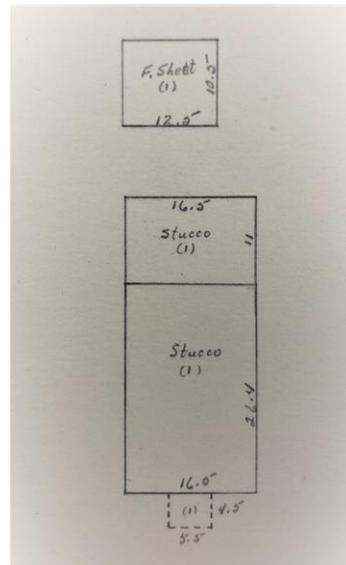
The design attempts to blend both the client programming requirements and guidelines outlined in the Heritage Conservation District (HCD) Plan for Old Sydenham. We hope staff and the committee will agree that the proposed intervention will have minimal impact on the heritage property and surrounding district. (photo taken from sidewalk)



As well as a structurally sound and insulated vestibule, the owners would like a more functional entry: slightly wider and deeper space. If the application is approved, we will document the existing conditions. The existing entry will then be rebuilt using like-existing detailing and proportions, only slightly wider and deeper per plan. It is our intention to save and reuse any finish materials that are sound. If unsound, we will re-create the detailing in our custom wood shop.

It is of interest to note that according to the City Property Assessment Card the entry in its enclosed version is not original to the structure.

ASSESSMENT DEPARTMENT, CITY OF KINGSTON				For Appraiser's Use			
Ward	Sydenham			34	Building	Area 456 sq. feet	
Street	211 Main			House No.	53	Subd.	12 Sheet 444
Lot	74.15	Block	32	Plan	Frontage 57'6" x 132'		
Unit Value Land	\$28.00			Total Value Land	\$770.00		
Description of Building							
(Place check (V) opposite each item applicable.)							
Purpose	Ch.	Basement	Ch.	State of Repair (Check V)			
Single Dwelling	AC	Basement	Ch.	No. of Buildings	(No. Stories)	Area	Bed. Par. Good
Duplex Dwelling	AC	Basement	Ch.	Main Bldg.	11	2,244	1.8
Apartment	AC	Basement	Ch.	Att. Stucco	11	11	11
Commercial	AC	Basement	Ch.	Verandah	10	45	11
Industrial	AC	Basement	Ch.	Verandah	10	45	11
Other	AC	Basement	Ch.	Verandah	10	45	11
Roof	Ch.	Wood Shingle	Ch.	Verandah	10	45	11
Asph. Shingle	Ch.	Asph. Shingle	Ch.	Verandah	10	45	11
Tile and Concrete	Ch.	Tile and Concrete	Ch.	Verandah	10	45	11
Foundation	Ch.	Foundation	Ch.	Verandah	10	45	11
Concrete Block	Ch.	Concrete Block	Ch.	Verandah	10	45	11
Stone	Ch.	Stone	Ch.	Verandah	10	45	11
Concrete	Ch.	Concrete	Ch.	Verandah	10	45	11
Foundation	Ch.	Foundation	Ch.	Verandah	10	45	11
Other	Ch.	Other	Ch.	Verandah	10	45	11
Construction	Ch.	Construction	Ch.	Verandah	10	45	11
Brick	Ch.	Brick	Ch.	Verandah	10	45	11
Stone	Ch.	Stone	Ch.	Verandah	10	45	11
Concrete Block	Ch.	Concrete Block	Ch.	Verandah	10	45	11
Other	Ch.	Other	Ch.	Verandah	10	45	11
Exterior	Ch.	Exterior	Ch.	Verandah	10	45	11
Paint	Ch.	Paint	Ch.	Verandah	10	45	11
Stucco	Ch.	Stucco	Ch.	Verandah	10	45	11
Other	Ch.	Other	Ch.	Verandah	10	45	11
Interior	Ch.	Interior	Ch.	Verandah	10	45	11
Unfinished	Ch.	Unfinished	Ch.	Verandah	10	45	11
Plast. or Equiv.	Ch.	Plast. or Equiv.	Ch.	Verandah	10	45	11
Other	Ch.	Other	Ch.	Verandah	10	45	11
Other Bldgs.	\$15			Assessed Value	\$715		
Signature of Appraiser							
Date Appraised 19__							



The front of the appraisal card labels the entry as “Porch 5.5 x 4.5”. The accompanying sketch on the reverse of the card shows the porch as a dotted line. While there is no date on the appraisal card, Queen’s archive staff helped determine that surrounding properties in the shared file showed appraisal dates in the mid 1970s. This being a porch turned enclosed entry makes sense given the combined façade view of 53 & 55 William. At neighbouring 55 William, the façade door placement matches exactly the placement at 53 William beyond the vestibule. Further, the wall thicknesses of the 53 William vestibule do not match those of the main structure.

We believe the enclosed entry is a heritage attribute to this property. We also believe it to be relatively structurally unsound and uninsulated. An attached letter from Scott McNeely, structural engineer, attests to that. Therefore, a rebuild and modest enlargement of the front vestibule is proposed to proper code compliance. It should not negatively impact the property’s heritage attributes.

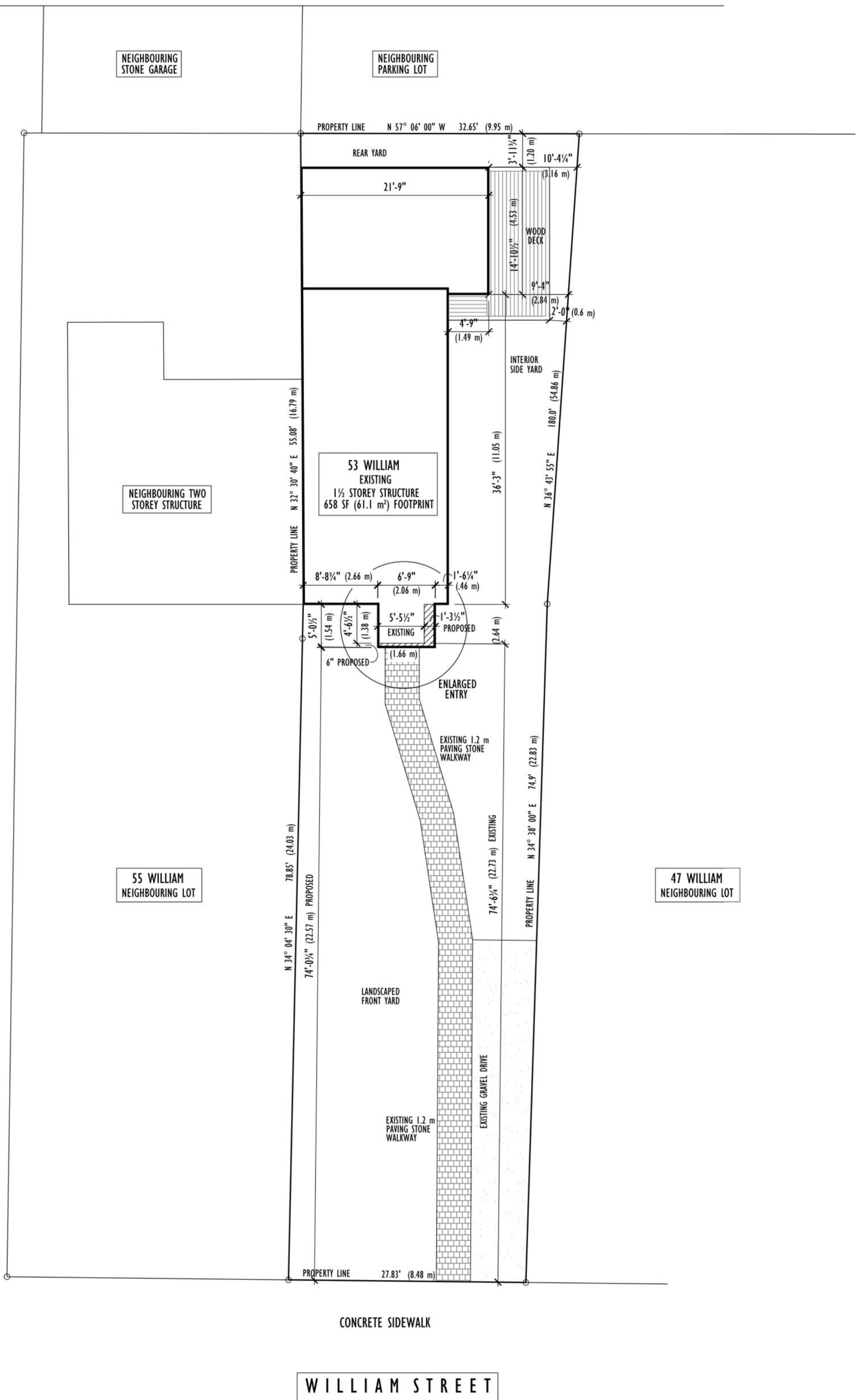
Section 5 of the HCD plan suggests addressing a couple questions regarding the proposed work:

1. In what ways will the proposed alteration affect the overall character of the streetscape of Old Sydenham? We believe there to be very little streetscape impact given the great distance from street line and that the reconstruction of the vestibule is to be with like for like materials and proportion.
2. What will be the impact of the proposed alteration on the property’s heritage attributes? Minimal impact. While the original vestibule is to be demolished, a like for like rebuild should still showcase the architectural element in the same way as existing.

-Respectfully submitted,

Todd Biggerman, M. ARCH

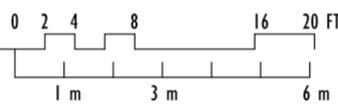
Mark Peabody Custom Builder



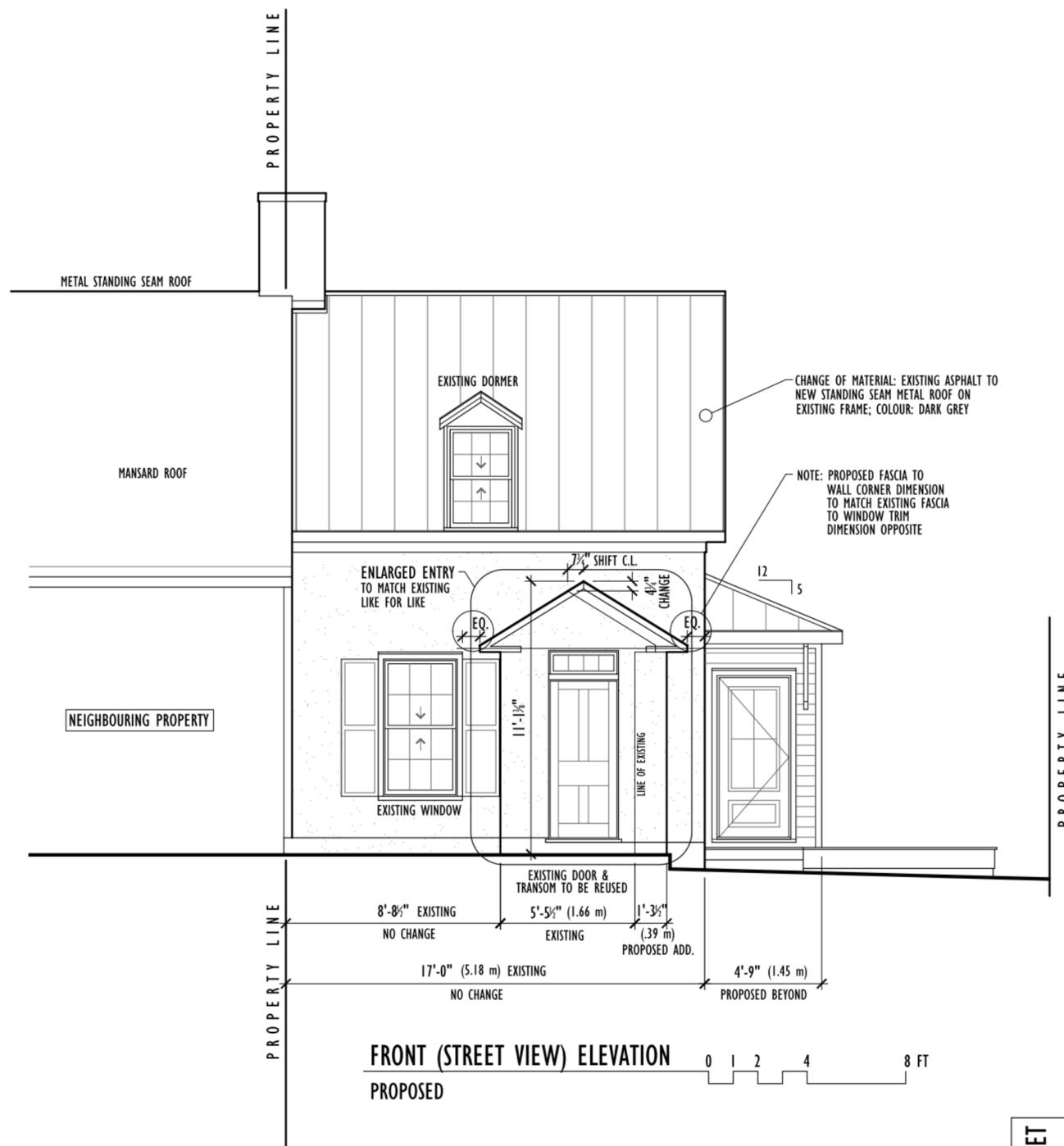
NOTE: INFORMATION ON THIS DRAWING IS EXTRAPOLATED FROM GRANGE W. ELLIOTT, LTD SURVEY MAY 1, 1996



SITE PLAN



MARK PEABODY
CUSTOM BUILDER
DESIGN BUILD
RENOVATE



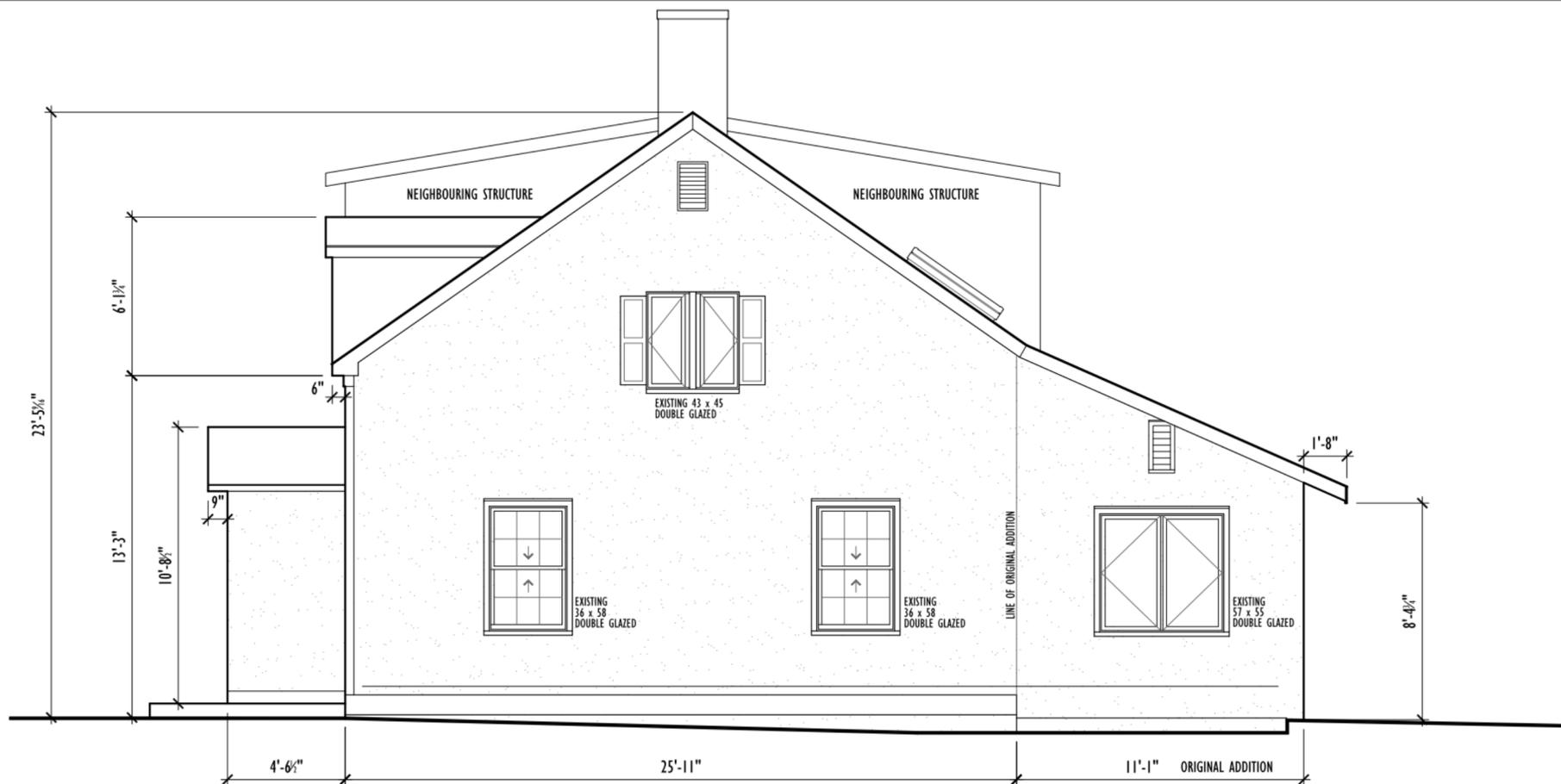
53 WILLIAM STREET
KINGSTON ONTARIO

01 AUG 2023

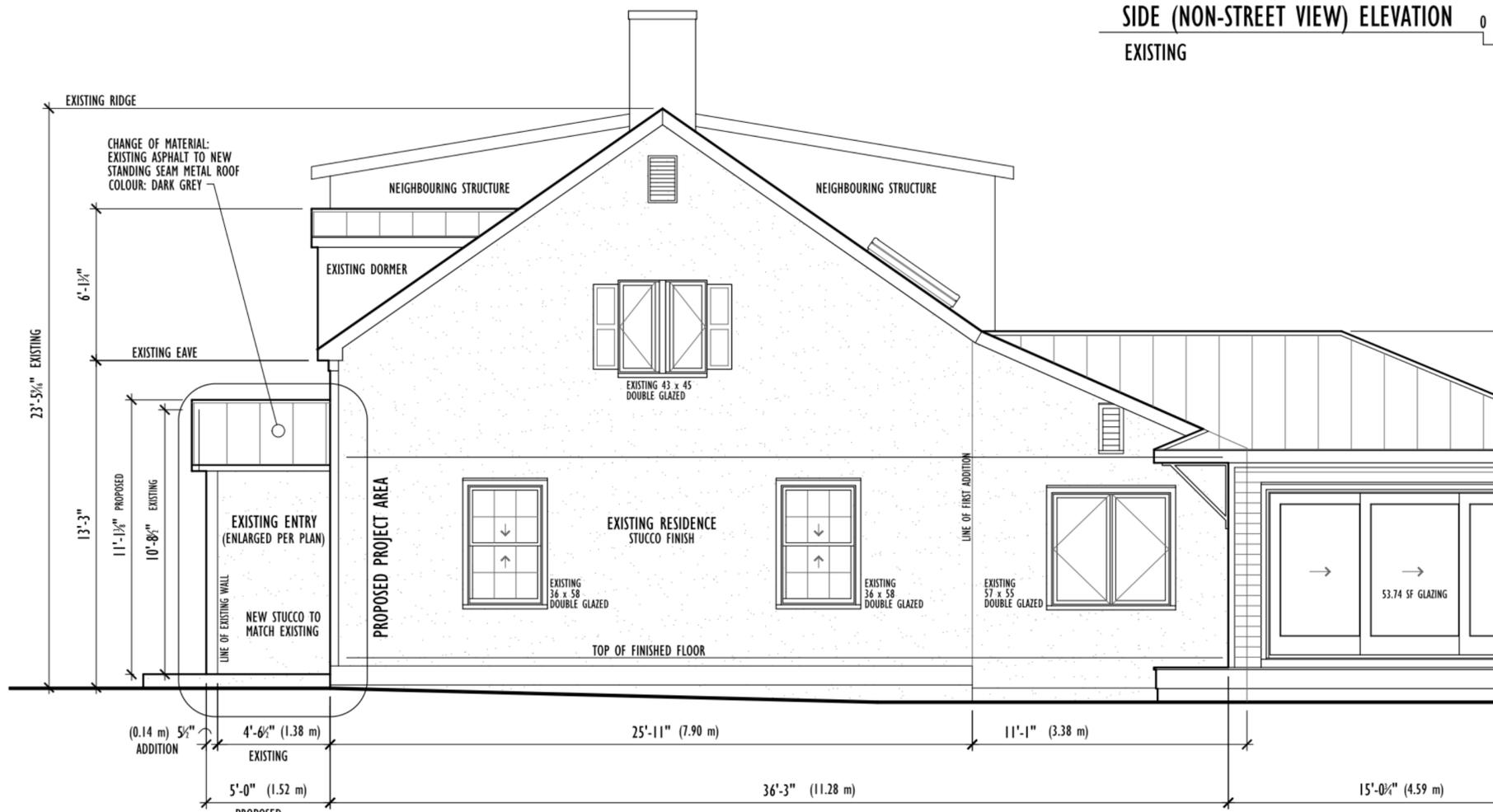
FRONT ELEVATION

A-102

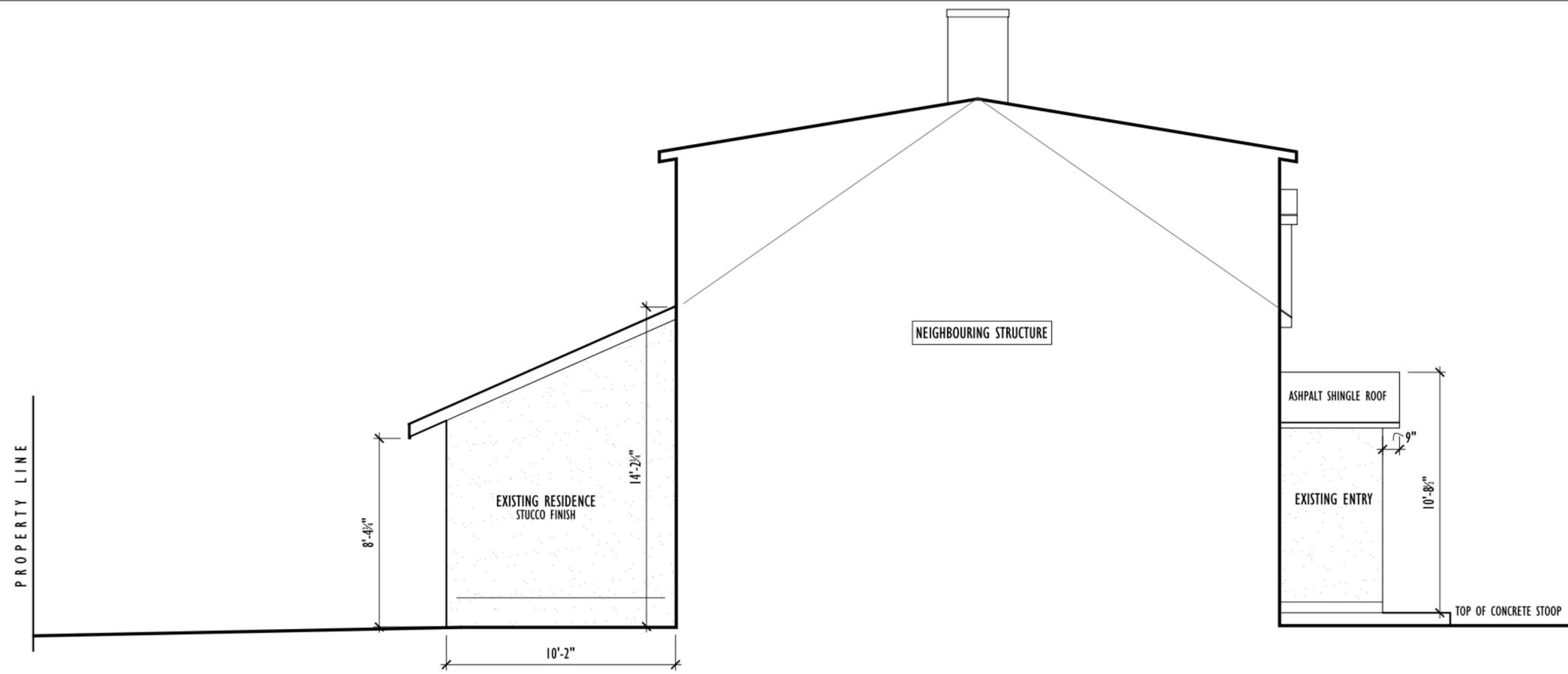
MARK PEABODY
CUSTOM BUILDER
DESIGN BUILD RENOVATE
peabody@kingston.net
613-561-2687



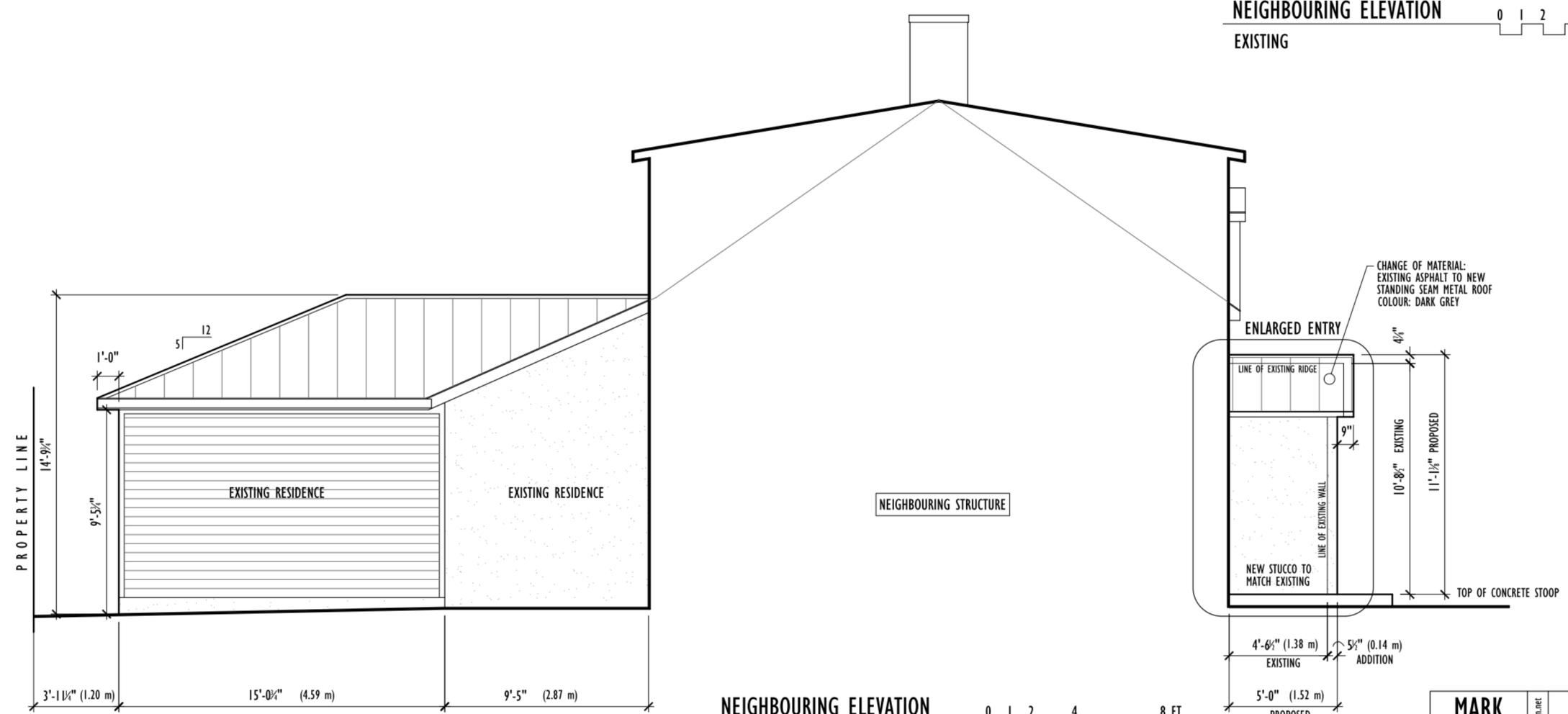
SIDE (NON-STREET VIEW) ELEVATION
EXISTING



SIDE (NON-STREET VIEW) ELEVATION
PROPOSED



NEIGHBOURING ELEVATION
EXISTING



NEIGHBOURING ELEVATION
PROPOSED

53 WILLIAM STREET
KINGSTON ONTARIO

01 AUG 2023

BLIND SIDE ELEVATION

A-104

MARK PEABODY
CUSTOM BUILDER
DESIGN BUILD RENOVATE
peabody@kingston.net
613-561-2687

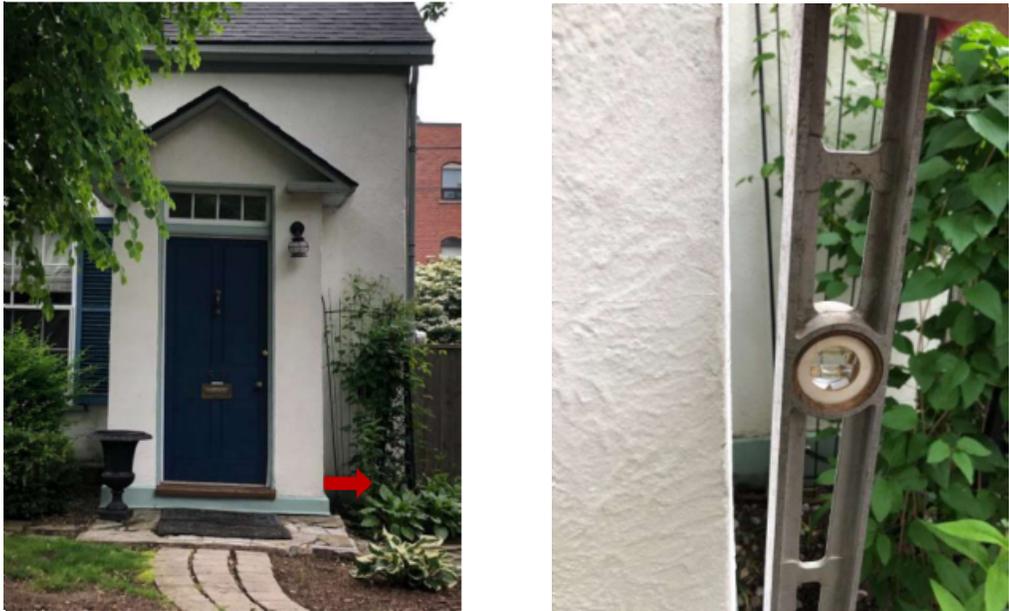
21 June, 2023

To Heritage Kingston Staff,

This letter is meant to document the structural instability of the existing vestibule at 53 William Street, and to act as engineering letter to that effect in support of Heritage Application P18-055-2023. The vestibule in its current state has likely become an enclosed livable space from originally a covered porch. Given its current state, we suspect the vestibule to be lacking a foundation and structurally unsound. An uninsulated floor over subgrade soil is subject to heave and settling. Over time the vestibule is prone to more movement resulting in ongoing repair.



The images above show the street-facing wall four inches out of plumb. Its top leans toward the street. This is likely due to lack of a proper foundation.



These photographs show the bottom of the side wall three inches out of plumb.



The above photographs show the soffit pulling away from the main structure. The transom is out of level in relation to the front door. Both cases likely due to structural settling.



Finally, the above photographs document a lack of perimeter foundation. Soil is up into the floor plenum.

In front of the vestibule is a mortared flagstone stoop nearly flush with the ground that is broken and failing. The floor plenum of the vestibule is likely either wood frame bearing on this stoop, or a thin concrete slab that has been undermined as shown above. It is our opinion that the vestibule be rebuilt to Ontario Building Code standard including proper foundation to solid bearing.



Property Inventory Evaluation – William Street

53 WILLIAM STREET

Built: c. 1840

Rating: S (Part IV)

Built c.1840, this simple cottage, adjoined to a neighbouring cottage, located at 53 William Street, is of cultural heritage value and interest because of its physical/design value.

The property has physical/design value. Character defining elements that reflect this value include its scale and massing. Other elements reflecting its physical/design value include the dwellings two and a half storey stucco construction, two bays wide with a door in the east bay protected by a stucco gable roofed vestibule. A simple dormer adorns the centre of the gabled roof. Importantly this small cottage is unique to the streetscape of Kingston, where almost all houses of this period are near the street line. This dwelling by contrast is set back from the street located at the back of the property line.



53-55 William Street
J.McK.

Clause 5, Report No. 23, 1984

BY-LAW NO. 84-65

A BY-LAW TO DESIGNATE CERTAIN PROPERTIES TO BE OF HISTORIC AND/OR ARCHITECTURAL VALUE OR INTEREST, PURSUANT TO SECTION 29 OF THE ONTARIO HERITAGE ACT

PASSED: March 1, 1984

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1080, Chapter 337 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest;

AND WHEREAS notice of intention to designate certain properties within the municipality, as set out in Section 1 of Schedule "A" hereto, was served on the owners of the properties and on the Ontario Heritage Foundation on the 14th day of December, 1983 and was published in the Whig-Standard on December 14, December 21 and December 28, 1983;

AND WHEREAS notice of intention to designate certain properties within the municipality, as set out in Section 2 of Schedule "A" hereto, was served on the owners of the properties and on the Ontario Heritage Foundation on the 21st day of December, 1983 and was published in the Whig-Standard on December 21 and December 28, 1983, and on January 4, 1984;

AND WHEREAS no notices of objection to the proposed designations have been served on the Clerk of the City of Kingston:

THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. There are designated as being of architectural and historic value or interest the following real properties in the City of Kingston:

- (a) 276 Brock Street
- (b) 132-134 Earl Street
- (c) 5 Emily Street

- (d) 113 Johnson Street
- (e) 228-230 Johnson Street
- (f) 261 Johnson Street - St. Mary's Cathedral
- (g) 279 Johnson Street - Archbishop's House
- (h) 53 King Street East
- (i) 81 King Street East
- (j) 156 King Street East
- (k) 203 King Street East
- (l) 11 Ontario Street - Pump House Steam Museum
- (m) 55 Ontario Street - Kingston Marine Museum
- (n) 157 Ontario Street
- (o) 32, 36 and 40 Simcoe Street
- (p) 82 Sydenham Street - Sydenham Street United
Church
- (q) 126 Wellington Street
- (r) 23-25 West Street
- (s) 207 William Street

2. There are designated as being of architectural value, or interest the following real properties in the City of Kingston:

- (a) 90 Bagot Street
- (b) 116 Bagot Street
- (c) Barrie Street - Chalmers United Church
- (d) 66-68 Earl Street
- (e) 98 Earl Street
- (f) 100-102 Earl Street
- (g) 114 Earl Street
- (h) 195-197 Earl Street
- (i) 1-3 Emily Street
- (j) 76-78 Gore Street
- (k) 89-91 Gore Street
- (l) 90 Johnson Street - Anglican Diocesan Centre
- (m) 121 Johnson Street - Greek Orthodox Church
- (n) 150-152 Johnson Street

- (o) 160-162 Johnson Street
- (p) 186 Johnson Street
- (q) 218 Johnson Street
- (r) 222 Johnson
- (s) 231-233-235 Johnson Street
- (t) 237-239-241 Johnson Street
- (u) 31 King Street East
- (v) 45 King Street East
- (w) 49 King Street East
- (x) 85 King Street East
- (y) 95 King Street East
- (z) 161 King Street East
- (aa) 165-167 King Street East
- (bb) 169 King Street East
- (cc) 198 King Street East
- (dd) 202 King Street East
- (ee) 208 King Street East
- (ff) 212-214 King Street East and 46 Earl Street
- (gg) 254-256 King Street East
- (hh) 75 Lower Union Street
- (ii) 115 Lower Union Street
- (jj) 73 Sydenham Street
- (kk) 86-88 Sydenham Street
- (ll) 92-94 Sydenham Street
- (mm) 25-27 Wellington Street
- (nn) 47 Wellington Street
- (oo) 96 Wellington Street and 70 William Street
- (pp) 118-120 Wellington Street
- (qq) 65 West Street
- (rr) 112 William Street
- (ss) 129 William Street
- (tt) 185 William Street
- (uu) 203-205 William Street.

.../4

3. There are designated as being of historic value or interest the following real properties in the City of Kingston:

- (a) 5 Clergy Street East - Sydenham Public School
- (b) 178-180 Johnson Street
- (c) 194 Johnson Street
- (d) 211 Johnson Street - First Baptist Church
- (e) 260 Johnson Street
- (f) Johnson Street - St. James Chapel
- (g) Richardson Bath House - Macdonald Park
- (h) 13 Maitland Street
- (i) 16 Maitland Street
- (j) 123 Sydenham Street - Hotel Dieu Hospital
- (k) 53-55 William Street

4. All of the above mentioned properties are more particularly described in Schedule "A" attached hereto.

5. The City Solicitor is hereby authorized to cause a copy of this by-law and the reasons for designation to be registered against the properties described in Schedule "A" hereto in the Land Registry Office at Kingston, Ontario.

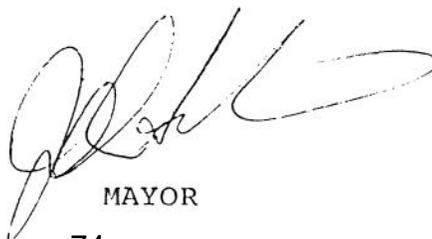
6. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owners of the properties described in Schedule "A" hereto and on The Ontario Heritage Foundation, and to cause notice of the passing of this by-law to be published in the Whig Standard once for each of three consecutive weeks.

7. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS February 14, 1984

GIVEN THIRD READING AND FINALLY PASSED March 1, 1984


CITY CLERK


MAYOR

53-55 William Street

Owner: 53 William Street
Elizabeth Leslie Taylor, 55 William Street

55 William Street
Donald Robert Taylor, 55 William Street

Description:

53 William Street: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, in the Province of Ontario, and being composed of all of that Part of Lot 144 on the north side of William Street, according to the Original Survey of the Town of Kingston, now the City of Kingston, and more particularly described in Instrument No. 205116.

55 William Street: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, in the Province of Ontario, and being composed of the southeast half of Lot No. 157 according to the Original Survey of the town of Kingston, now the City of Kingston, and more particularly described in Instrument No. 203750.

112 William Street

Owner: Marie C. McCann,
112 William Street

Description:

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, in the Province of Ontario, and being composed of part of Lot 5 on Bagot Street according to Registered Plan B-27, and more particularly described in Instrument No. 147369.

129 William Street

Owner: Michael P. O'Connor,
129 William Street

Description:

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, in the Province of Ontario, and being composed of Lot 30 on the north side of William Street according to Registered Plan B-27, and more particularly described in Instrument No. 179707.

185 William Street

Owner: Valerie Thompson, C/o Townhouse Fashions
LaSalle Mews, 303 Bagot Street

Description:

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, in the Province of Ontario, and being composed of Part of Lot 22 on the north side of William Street, between Clergy and Sydenham Streets, as shown on a plan of Subdivision of Park Lot 2, and more particularly described in Instrument No. 30451.

Being part of Lot 22 Plan B-27
75 .../22

16 Maitland Street

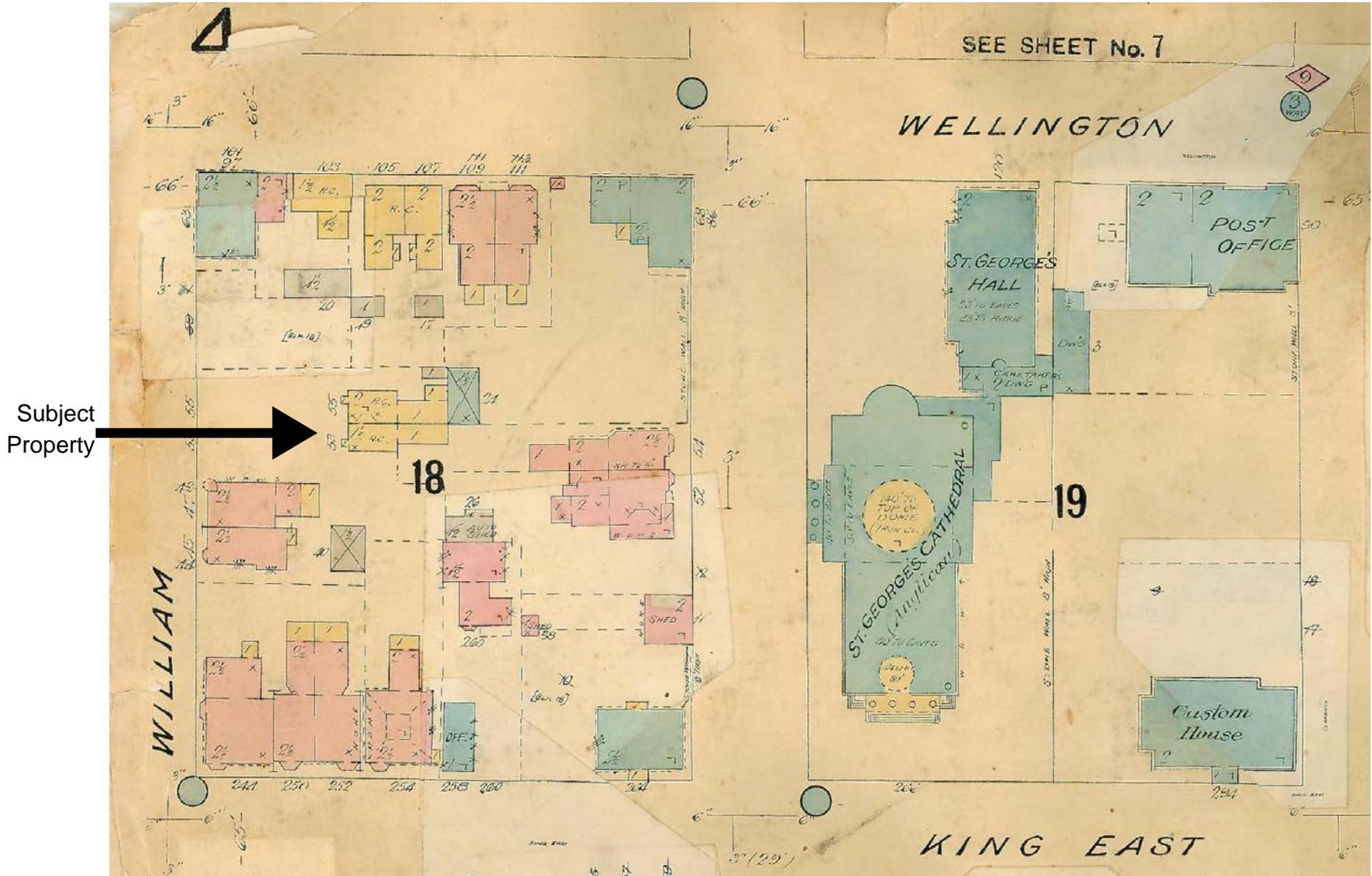
This row of stone buildings, originally stables, carriage house and servants quarters, now apartments, is all that remains of Maitland House, built for the Honourable John Hamilton.

123 Sydenham Street - Hotel Dieu Hospital

The central section of the hospital was built in 1838-1842 to be a Roman Catholic Seminary. Regiopolis College occupied the building from 1842 to 1869. In 1891 the Sisters of the Religious Hospitallers of St. Joseph moved here from across Brock Street.

53-55 William Street

The placement of this double cottage, far back from the street, provides interesting variety to the streetscape. Built for Henry Gildersleeve before 1830, it was added to in 1843 when the west part of Number 55 was built. Number 53 is remarkably unaltered.



Kingston Heritage Properties Committee

Summary of Input from Technical Review Process

P18-075-2023

Committee Members	Comments Enclosed	No Comments Provided	No Response Received
Councillor Glenn			X
Councillor Oosterhof			X
Jennifer Demitor			X
Gunnar Heissler			X
Alexander Legnini			X
Jane McFarlane	X		
Ann Stevens	X		
Peter Gower			X



where history and innovation thrive

Website: www.cityofkingston.ca
TTY: Dial 613-546-4889

Date:	December 17, 2023
Form:	Heritage Kingston Reviewer Form
Reviewer Name:	Ann Stevens
Application Type:	Heritage Permit
File Number:	P18-055-2023
Property Address:	53 WILLIAM ST

Description of Proposal:

The subject property is designated under Part IV and V of the Ontario Heritage Act, and is within the Old Sydenham HCD. The application is seeking Heritage Act approval to construct a 337 sqft (31.3 m²), one storey rear addition to the existing residence using fiber-cement clapboard siding (colour to be determined), build a new wood deck (finish to be determined), to rebuild and enlarge the existing entry vestibule, and change the roof material from asphalt shingles to a dark grey metal standing seam roof on the entire residence. The applicant has submitted plans which can be found on DASH.

Comments for Consideration on the Application:

I appreciated attending the Roundtable where the applicants came to tell us about their renovation. The home is set quite far back on the lot which makes any changes hard to see. The plan to enlarge the front vestibule for accessibility concerns does affect the property view from the street. It just seems a bit off scale. I do understand the porch expansion of this porch is for accessibility issues but I would hope any changes will not be permanent in nature.

Recommended Conditions for the Application:

None.



City of Kingston
216 Ontario Street
Kingston, Ontario
Canada, K7L 2Z3

Website: www.cityofkingston.ca
TTY: Dial 613-546-4889

Date:	December 19, 2023
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Jane McFarlane
Application Type:	Heritage Permit
File Number:	P18-075-2023
Property Address:	53 WILLIAM ST

Description of Proposal:

The subject property is designated under Part IV and V of the Ontario Heritage Act, and is within the Old Sydenham HCD. The application is seeking Heritage Act approval to remove the current entry vestibule, rebuild it to code, and enlarge it by 9.5 square feet (0.88m²) for accessibility purposes. The existing entry will be rebuilt using like-existing detailing and proportions (only slightly wider and deeper). It should be noted that any salvageable finish material will be reused in the rebuild and the existing front door and transom will both be retained and reinstalled in the new entry. The applicant has submitted plans and supporting documentation which can be found on DASH.

Comments for Consideration on the Application:

The engineers report regarding the current vestibule is noted. Reuse of existing front door and transom and salvage of finish material is commendable. However, increasing the size of the porch will alter the appearance of this property from the public realm and in order to understand and justify the proposed increase in size more explicit detail about the accessibility features this proposal aims to address needs to be provided.

Recommended Conditions for the Application:

None.

Summary of Final Comments at the January 24, 2024 Heritage Properties Committee Meeting

[To be added following the meeting.]



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-003

To: Chair and Members of the Kingston Heritage Properties Committee

From: Jennifer Campbell, Commissioner, Community Services

Resource Staff: Kevin Gibbs, Director, Heritage Services

Date of Meeting: January 24, 2024

Subject: Amendment to Designation under the *Ontario Heritage Act*

Address: 662 King Street West, 13, 15 & 17 Grange Street

File Number: R01-026-2023

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

Section 30.1 of the *Ontario Heritage Act* authorizes the Council of a Municipality to enact by-laws to amend designating by-laws passed under Section 29. Council shall, before giving notice of a proposed amendment to designating by-law, consult with its Municipal Heritage Committee when the Council of a municipality has appointed a Municipal Heritage Committee.

This report provides background information regarding the proposed amendment to the designating by-law for 662 King Street West, to correct the legal description of the property and the clarify the cultural heritage value of the property. This will have the effect of removing the existing designation from lands to the south at 13, 15 and 17 Grange Street, which were severed from the larger parcel in 2015.

The owners of the properties listed above have been provided with the draft designation by-law by registered mail. The owners were also invited to an open house on December 21, 2023, hosted by Heritage Planning staff.

January 24, 2024

Page 2 of 8

The Notice of Proposed Amendment and draft designation by-law has been prepared in accordance with the recent amendments to the *Ontario Heritage Act*. Staff recommend serving the Notice of Proposed Amendment on the subject properties to ensure the conservation of 662 King Street West and to remove the heritage designation from 13, 15 and 17 Grange Street.

Recommendation:

That Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Proposed Amendment for the properties located at 662 King Street West, and 13, 15 and 17 Grange Street, pursuant to Section 30.1 of the *Ontario Heritage Act*, attached as Exhibit C to Report Number HP-24-003; 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 Proposed Amendment, the Designation By-Law for 662 King Street West, attached as Exhibit D to Report Number HP-24-003, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 30.1 of the *Ontario Heritage Act*.

January 24, 2024

Page 4 of 8

Options/Discussion:

The four (4) properties subject to this application, at 662 King Street West and 13, 15 and 17 Grange Street, are located on the south side of King Street West and the north side of Grange Street, in Portsmouth Village (Exhibit A – Context Maps). All four parcels are currently designated under Part IV of the *Ontario Heritage Act* through By-Law Number 80-63 (Exhibit B – Current Designation By-Law).

In 1980, when the properties were designated, the total parcel included the full lot from King Street West south to Grange Street and the “Reasons for Designation” were noted as follows:

“This large stone building, an important part of the commercial streetscape, was built for William Mudie, long-time Reeve of the Village.”

The owners of the property at 13 Grange Street have applied under Section 30.1(2) of the *Ontario Heritage Act* to request Council amend the designation by-law to correct the legal description, to clarify that the cultural heritage value of this resource is only related to the subject building at 662 King Street West and not the recently severed (2015) parcels along Grange Street (civic numbers 13, 15 and 17).

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

Process

Section 30.1 of the *Ontario Heritage Act* authorizes the Council of a Municipality to enact by-laws to amend designation by-laws passed under Part IV, Section 29 of the Act. Council shall, before giving notice of a proposed amendment to a designating by-law, consult with its Municipal Heritage Committee when the Council of a municipality has appointed a Municipal Heritage Committee.

For technical amendments, such as a correction to the legal description and refinements to bring existing by-laws into conformity with current standards, the Act provides a streamlined process under Section 30.1(2). Through this streamlined process, no public notice is required to be published in the newspaper and appeal rights are limited to only the affected property owners themselves. The draft Notice of Proposed Amendment is attached as Exhibit C. The draft amending by-law is attached as Exhibit D.

Similar to the process for new designations, as outlined in [Report Number HK-21-004](#), the 2020 changes to the *Ontario Heritage Act* created a new two-tier appeal process for amending existing designations. Under the streamlined process, as noted above, and following consultation with its heritage committee, Council can choose to serve a notice of its intention to amend the existing designation under Section 30.1(3) of the *Ontario Heritage Act* on the

January 24, 2024

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property owner(s). Within 30 days of receipt of the notice, the owner can object by providing a notice of objection to the City Clerk.

Any notice of objection received by the Clerk's office is then sent to City Council for consideration. Council has 90 days to decide if it wishes to withdraw its Notice of Proposed Amendment or not. Its decision is required to be served on the owner, the Ontario Heritage Trust and be published in the newspaper in the form of either a Notice of Passing (after giving final reading to the by-law) or a Notice of Withdrawal (section 30.1(8) or (9)).

Regardless of whether an objection is received or not, the owner is afforded a second opportunity to appeal the amendment to the Ontario Land Tribunal within 30 days of the publication of the Notice of Passing. The Tribunal will review the appeal, hold a hearing and render a binding decision on the fate and content of the amendment.

Cultural Heritage Analysis

The currently designated heritage property, spanning four separately conveyable lots, contains the two-storey limestone building, built circa 1850, fronting onto King Street West, with a series of rear additions from the 20th century, as well as a row of three three-storey townhouse units built in 2016 fronting Grange Street.

A heritage impact statement, prepared by Golder Associates in 2015, was submitted as part of the Planning and Heritage Act applications associated with the approvals for the new townhouses in 2015. The heritage consultant outlined the cultural heritage value of the subject property (section 3.0) noting various features of the 1850 limestone building only. There are no noted heritage features on the rear half of the original property, noted as Lot 52, now 13, 15 and 17 Grange Street. The report prepared by Golder Associates is available through [DASH](#) under file number R01-026-2023.

The subject property was designated in 1980 under the 1974 *Ontario Heritage Act*. Since this time, the Act has had several significant amendments with respect to the minimum requirements for designation by-laws, particularly in 2005 and again in 2020/2022. Section 30(15) of the Act requires that all new amending by-laws shall be prepared to comply with the minimum standard requirements of the current Act. With respect to a 1980s era by-law, this means the crafting of a new statement of cultural heritage value and a detailed list of heritage attributes.

As required by the recent (2022) updates to the *Ontario Heritage Act*, the properties were evaluated against the 'Criteria for Determining Cultural Heritage Value or Interest' in Ontario Regulation 9/06, which requires each property meet at least two (2) of the nine (9) criteria to be considered for designation under the Act. It was determined that the property at 662 King Street West satisfied three of the Regulation's evaluation criteria and accordingly met the requirements for designation under the Act. Those properties at 13, 15 and 17 Grange Street do not satisfy the minimum requirements and are therefore not recommended for designation.

January 24, 2024

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The Heritage Properties Working Group has reviewed the draft by-law and consultant's report and supports the continued designation of the subject property as a property of cultural heritage value and interest and also supports the de-designation of those properties on Grange Street. The full statements of significance, including list of attributes is included in the draft designation by-law attached as Exhibit D. Photographs of properties are included in Exhibit E.

All owners were contacted by registered mail on December 1, 2023. Included with the cover letter was a copy of the draft by-law. A public open house meeting was held on December 21, 2023, hosted by Heritage Planning staff, in the Heritage Resource Centre at City Hall. No one chose to attend. While property owners are not required to support the amendment for it to move forward, feedback received from the owners is considered and added to the draft by-laws as appropriate. Staff received no written objections at the time of writing this report.

As a result of staff's evaluation and the assessment of the heritage consultant, we find that the three lots fronting Grange Street do not have cultural heritage value and should have their designation by-law removed. Further, the 1850 limestone building on King Street West satisfies the prescribed criteria for heritage designation and it is recommended that the designation by-law be amended to bring it into conformity with current provincial standards.

Comments from Department and Agencies

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

Building Services:

No objections to the removal of heritage designation for the Grange Street Townhomes constructed in 2016.

Enforcement Services:

For those 4 addresses, we currently do not have any open or ongoing cases.

Consultation with the Heritage Properties Committee

The Heritage Properties Committee was consulted on this application through the [DASH](#) system. No written comments were received at the time of writing this report.

Conclusion

Staff recommend proceeding with serving the Notice of Proposed Amendment to the four (4) property owners, thereby removing the designation from those parcels at 13, 15 and 17 Grange Street and updating the statement of significance for 662 King Steet West. It is recommended that the Notice be served by the Clerk as required by Sections 30.1(3) and (4) of the Act. Should no notice of objection be received by the Clerk within the thirty (30) day timeframe, staff

January 24, 2024

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recommends that Council approve the amended designation by-law, attached as Exhibit D, and serve a Notice of Passing in accordance with Section 30.1(9) of the Act.

Existing Policy/By-Law:

More Homes Built Faster Act, 2022 (Province of Ontario)

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

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

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

Ontario Regulation 385/21 – General Regulations (Ontario)

City of Kingston Official Plan

Designation By-Law Number 80-63

Notice Provisions:

Notice of Proposed Amendment must be served on the property owners, the Ontario Heritage Trust and published in *The Whig Standard*, as required, pursuant to Sections 30.1(3) and (9) of the *Ontario Heritage Act*.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Kevin Gibbs, Director, Heritage Services, 613-546-4291 extension 1354

Joel Konrad, Manager, Heritage Planning, 613-546-4291 extension 3256

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

Other City of Kingston Staff Consulted:

Alan McLeod, Senior Legal Counsel & Deputy City Solicitor

January 24, 2024

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Exhibits Attached:

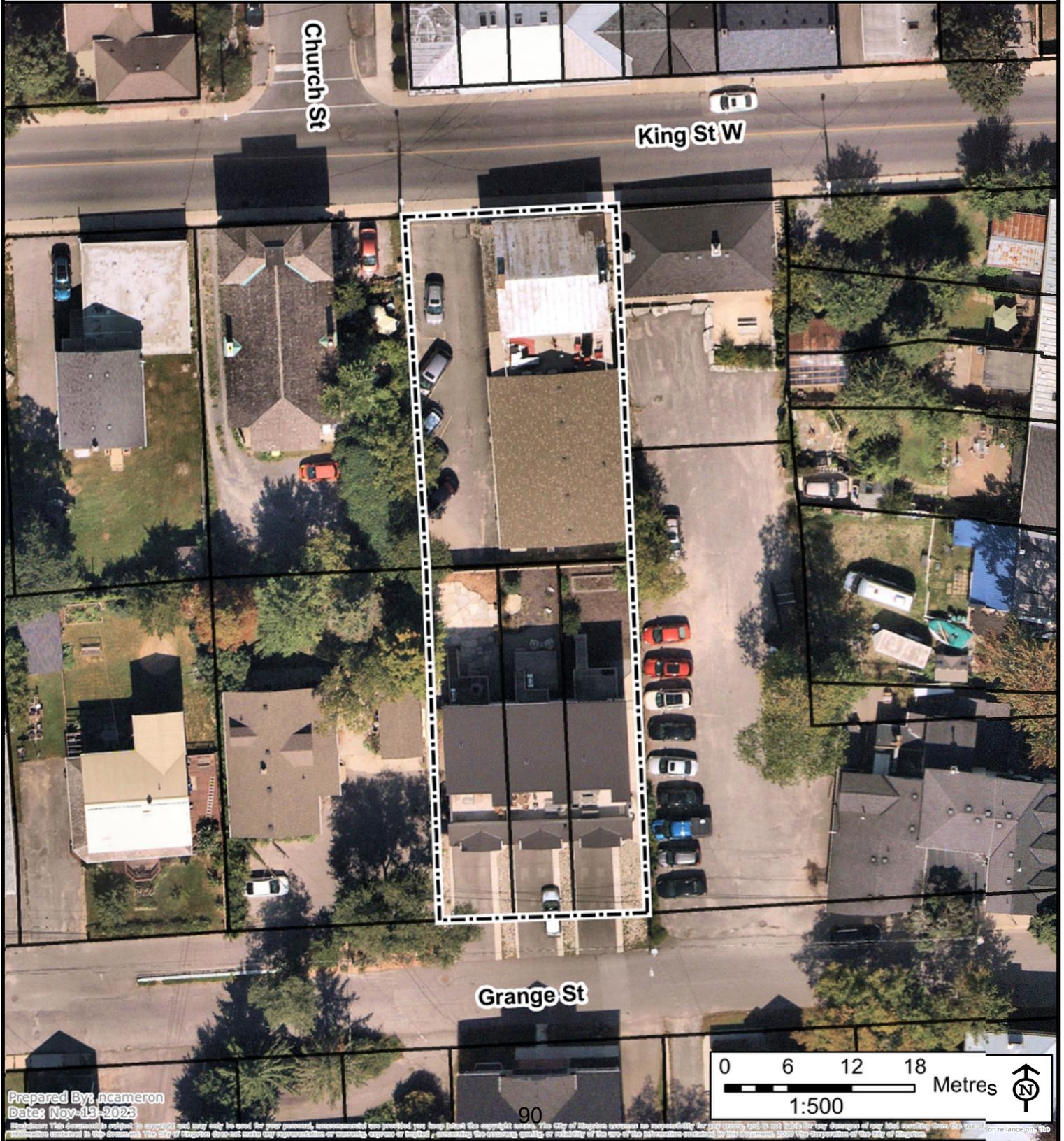
- Exhibit A Contextual Maps
- Exhibit B Current Designation By-Law No. 80-63
- Exhibit C Draft Notice of Proposed Amendment
- Exhibit D Draft Designation By-Law – 662 King Street West
- Exhibit E Photographs of the Properties



Kingston Heritage Properties Committee
Neighbourhood Context (2023)

Address: 13, 15, 17 Grange Street
and 662 King Street W.
File Number: R01-026-2023

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: ncameron
Date: Nov-13-2023

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Kingston Heritage Properties Committee

City of Kingston Heritage Register

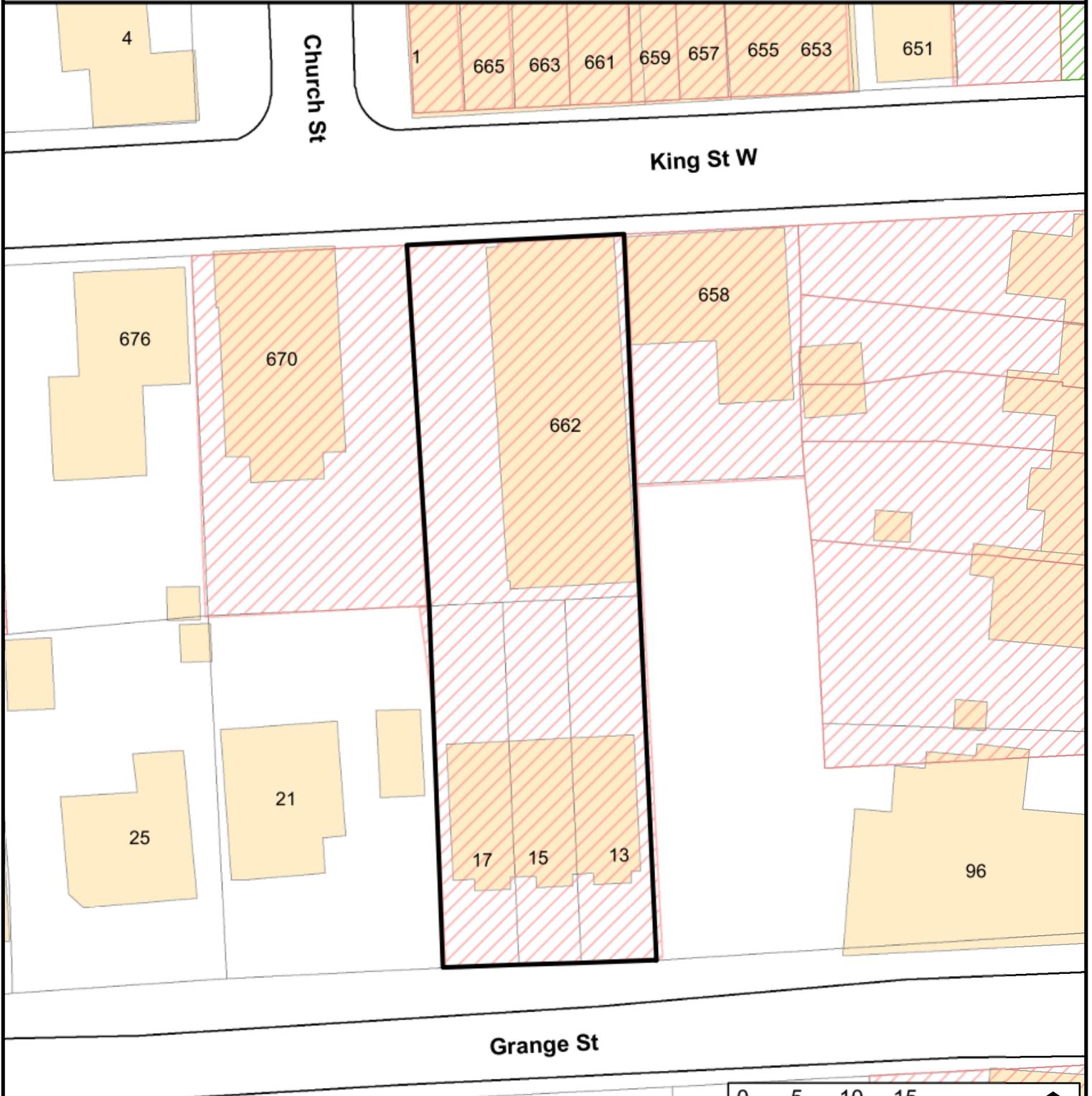
Address: 13, 15, 17 Grange Street
and 662 King Street W.

File Number: R01-026-2023

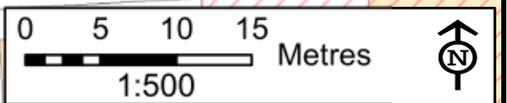
Subject Lands

Designated Property

Listed Property



Prepared By: ncameron
Date: Nov-13-2023



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Clause 2, Report No. 27, 1980

BY-LAW NO. 80-63

A BY-LAW TO DESIGNATE CERTAIN PROPERTIES IN PORTSMOUTH VILLAGE AS BEING OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, 1974

PASSED: March 24, 1980

WHEREAS Section 29 of The Ontario Heritage Act, 1974 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereof, to be of architectural or historic value or interest;

AND WHEREAS notice of intention to designate certain properties within the municipality was served on the owners of the properties and on The Ontario Heritage Foundation on the 3rd day of December, 1979 and was published in the Whig-Standard on December 3rd, 10th and 17th, 1979;

AND WHEREAS no notices of objection to the proposed designations have been served on the Clerk of the City of Kingston;

THEREFORE the Council of The Corporation of the City of Kingston enacts as follows:

1. There are designated as being of architectural or historic value or interest the following real properties in the City of Kingston:

- (a) 1 Baiden Street
- (b) 42 Kennedy Street
- (c) 46 Kennedy Street
- (d) 623 King Street West
- (e) 658 King Street West
- (f) 662 King Street West

- 2 -

- (g) 653-655 King Street West
- (h) 661 King Street West
- (i) 663 King Street West
- (j) 665 King Street West
- (k) 1 Church Street
- (l) 670 King Street West
- (m) 107 Logan Street
- (n) 71-75 Mowat Avenue
- (o) 76 Mowat Avenue
- (p) 34 Richard Street
- (q) 61 Yonge Street
- (r) 66 Yonge Street
- (s) 90 Yonge Street
- (t) 97-101 Yonge Street
- (u) 102-114 Yonge Street
- (v) 140-142 Yonge Street

all as more particularly described in Schedule "A" attached hereto.

2. The City Solicitor is hereby authorized to cause a copy of this by-law and the reasons for designation to be registered against the properties described in Schedule "A" hereto in the Land Registry Office at Kingston, Ontario.

3. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owners of the properties described in Schedule "A" hereto and on The Ontario Heritage Foundation, and to cause notice of the passing of this by-law to be published in the Whig-Standard once for each of three consecutive weeks.

4. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS March 10th, 1980.
GIVEN THIRD READING AND FINALLY PASSED March 24th, 1980.


CITY CLERK

93


MAYOR

662 King Street West

Owner: Florence Edna Cowan

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, and being composed of all of Lot 58 on the south side of King Street and all of Lot 52 on the north side of Grange Street, both according to a plan of subdivision formerly registered in the Village of Portsmouth and now in the City of Kingston as Plan No. 54, which is more particularly described in Instrument No. 190749.

653 - 655 King Street West

Owner: Apartments Unlimited Limited

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, (formerly the Village of Portsmouth), in the County of Frontenac and being composed of Part of Lot 3 between King Street and Kennedy Street (formerly Front and Bay Streets), forming part of the southwest quarter of Lot 19 in the First Concession of the Township of Kingston, which is more particularly described in Instrument No. 201490.

661 King Street West

Owners: Richard W. Jeffries and Grace Jeffries

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, (formerly Village of Portsmouth), in the County of Frontenac, in the Province of Ontario, being composed of Parts of Lots 3 and 4, between King Street and Kennedy Street, as laid out on the southwest quarter of Lot 19, in Concession 1, as shown on Registered Plan No. 54, which is more particularly described in Instrument No. 175073.

663 King Street West

Owner: Michael Austin Edwards

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, (formerly in the Village of Portsmouth), in the County of Frontenac, and Province of Ontario, and being composed of Part of Lot 4 between King Street and Kennedy Street as laid out on the southwest quarter of Lot 19, in Concession 1, and as shown on Registered Plan No. 54, which is more particularly described in Instrument No. 292502.

665 King Street West

Owner: Richard E. Buff

Description: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston (formerly Village of Portsmouth), in the County of Frontenac, Province of Ontario and being composed of Part of Lot 4, between King Street and Kennedy Street as laid out on the southwest quarter of Lot 19 in Concession 1, and shown on Registered Plan No. 54, which is more particularly described in Instrument No. 310890.

REASONS FOR DESIGNATION OF VARIOUS PROPERTIES IN PORTSMOUTH VILLAGE,
APPROVED AT THE MEETING OF CITY COUNCIL HELD ON
MARCH 10, 1980 (Clause 2B), Report No. 27),
AS PROPERTIES OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST

a) 1 BAIDEN STREET - Pt Lot 5, RP 54 (Architectural Significance)

Built about 1845 for merchant Samuel W. Brady and owned and occupied for many years by shoemaker John Pugh and his family, this well-proportioned frame dwelling is a good example of the larger wooden dwellings in the village.

b) 42 KENNEDY STREET - Pt Lot 2, RP 54 (Architectural Significance)

Angus McLeod's 1842 stone dwelling with ashlar quoins and string course, large windows and twin double chimneys was one of the largest stone houses in the village.

c) 46 KENNEDY STREET - Pt Lot 2, RP 54 (Architectural Significance)

Built about 1845 for grocer Angus McVicar this small stone cottage is in marked contrast to its larger neighbour and is typical of the working man's dwelling.

d) 623 KING STREET WEST - (Town Hall) - Lot 5, RP 54 (Architectural and Historic Significance)

This handsome stone Town Hall was designed by William Coverdale and erected under the supervision of John Power after Coverdale's death in September 1865. The building was and is a focal point in the physical and visual aspect of the old village area.

e) 658 KING STREET WEST - Lot 57, RP 54 (Historic Significance)

The small stone cottage built about 1837 for Richard Logan, with later brick addition, is important as the home of Logan who, with his partner McLeod, began the subdividing and development of land in the village.

f) 662 KING STREET WEST - Lot 58, Pt Lot 52, RP 54 (Historic Significance)

This large stone building, an important part of the commercial streetscape, was built for William Mudie, long-time Reeve of the Village.

g) 653-655 KING STREET WEST - Pt Lot 3, RP 54 (Architectural and Historic Significance)

Architect William Coverdale was commissioned by William Elliott to do plans for a double house on this site in 1856. In 1859 the new village council granted Elliott a tavern licence and the property continued to be operated as an inn or hotel for many years. The shed, with immense bakeovens, at the rear of the property is an important part of the complex.

**Notice of Proposed Amendment to By-Law Number 80-63
Pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, Chapter 0.18)**

Take Notice that the Council of The Corporation of the City of Kingston intends to pass a by-law under the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to amend By-law No. 80-63 “A By-Law to Designate Certain Properties in Portsmouth Village as being of Historic or Architectural Value or Interest under the Provisions of the Ontario Heritage Act, 1974”, to correct the legal description in order to remove reference to those portions of the former parcel, now separate properties, known as 13, 15 and 17 Grange Street, and to clarify and update the statement explaining the cultural heritage value or interest for the property at 662 King Street West (Lot 58 S/S KING ST Plan 54; City of Kingston) to make it consistent with the requirements of the Act.

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, ext. 3233, or by email at rleary@cityofkingston.ca during regular business hours.

The registered property owner has the right to object to the proposed amendment by filing a notice of objection, setting out the reason for objection and all relevant facts, with the City Clerk within 30 days of the receipt of this notice.

Dated at the City of Kingston

Janet Jaynes, City Clerk

this XXXX day of AAAAA, 2024

City of Kingston

By-Law Number 2024-XX

A By-Law to Amend By-Law Number 80-63 (A By-Law to Designate Certain Properties in Portsmouth Village as being of Historic or Architectural Value or Interest) Pursuant To The Provisions Of The *Ontario Heritage Act* (R.S.O. 1990, 0.18)

Passed: XXX, 2024

Whereas pursuant to By-Law Number 80-63 (A By-Law to Designate Certain Properties in Portsmouth Village as Being of Historic or Architectural Value or Interest under the Provisions of the Ontario Heritage Act, 1974), the subject property was designated as a property of cultural heritage value and interest in accordance with the provisions of the *Ontario Heritage Act* in 1980; and

Whereas Section 30.1(2) of the Act authorizes the Council of a municipality to amend a by-law designating a property to be of cultural heritage value or interest; and

Whereas pursuant to City of Kingston By-Law Number 2017-104, the subject property was separated into four lots, and as a result, it is necessary to amend the legal description contained in the designation by-law to include only those lands at 662 King Street West upon which the limestone heritage building is situated; and

Whereas Council consulted with its Municipal Heritage Committee on the amendment to the designation by-law for the subject property on January 24, 2024; and

Whereas Council served a notice of proposed amendment of a designation by-law on the property owner, on XXXXXXXX, 2024; and

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

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

1. Schedule "A" of By-law 80-63, as it relates to 662 King Street West only, is deleted and replaced with Schedule "A" attached to and forming part of this By-law;

City of Kingston By-Law Number 2024-XX

2. A copy of this By-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the land described in Schedule "A" hereto and on The Ontario Heritage Trust and on those lands formerly included in By-Law 80-63;
3. By-Law 80-63 shall be removed from the land titles of 13, 15 and 17 Grange Street; and
4. This By-Law shall come into force and take effect on the date of its passing.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

City of Kingston By-Law Number 2024-XX

Schedule “A”

Description and Criteria for Designation

Civic Address: 662 King Street West
Legal Description: Lot 58 S/S KING St Plan 54; City of Kingston, County of Frontenac
Property Roll Number: 1011 070 090 07400

Introduction and Description of Property

The property at 662 King Street West is located on the south side of the street, mid-block between Mowat Avenue and Yonge Street, in the former village of Portsmouth, now part of the City of Kingston. The 660 square metre commercial property contains a two-storey limestone building, constructed circa 1850, with later stairwell and single storey additions.

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.

662 King Street West is a representative example of an early-19th century Georgian commercial building in the heart of Portsmouth Village. The simple two-storey massing with three bays, restrained architectural detailing (e.g., coursed, squared and roughly dressed limestone masonry front façade, uncoursed limestone on the side elevations, stone windowsills and voussoirs), low-pitched gable roof with twin brick chimneys and the overall impression of balance is typical of 19th century Georgian buildings. Although the original/historic windows have been removed, the size and proportions of the original window openings, which have a vertical emphasis, also reflect its Georgian architectural style. Small segmental arched window openings remain at the attic level on the east and west elevations, and evidence of the three-bay ground floor façade can still be seen by the remaining voussoirs above the modern ground-floor fenestration.

Even though the historic storefront has been replaced, its commercial use maintains the traditional commercial uses prevalent along this portion of King Street West in the former Portsmouth Village (i.e., commercial at grade with residential/office space above).

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.

City of Kingston By-Law Number 2024-XX

The limestone building at 662 King Street West is significant in defining the character of the streetscape on King Street West, between Mowat and Yonge streets. Together with the continual row of limestone, brick and frame residential buildings on the north side of street, as well as the limestone commercial buildings on the south side, this block of King Street West has a consistent and distinct character consisting of mostly two-storey 19th century buildings.

With its shallow setback, regular fenestration pattern, limestone construction, age and presence on King Street West, the subject property shares a visual and historical relationship with its surroundings, particularly with the limestone buildings at 658, 661-665, 670 and 678-680 King Street West and 114 Yonge Street. As part of this group of buildings, the subject property helps maintain the historic limestone character of this portion of King Street West and the historic heart of Portsmouth Village.

Heritage Attributes

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

- Two-storey three-bay massing with gable roof and twin brick chimneys;
- Coursed, squared and roughly dressed limestone masonry façade, and uncoursed limestone east and west elevations;
- Original second storey window openings on the façade with stone voussoirs and stone windowsills, and arched window openings on the east and west elevations; and
- Ground floor voussoirs on front facade.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include the:

- Later rear additions.

662 King Street West



13, 15 & 17 Grange Street





**City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-007**

To: Chair and Members of the Heritage Properties Committee
From: Jennifer Campbell, Commissioner, Community Services
Resource Staff: Kevin Gibbs, Director, Heritage Services
Date of Meeting: January 24, 2024
Subject: Notice of Intention to Designate under the *Ontario Heritage Act*
Addresses: 1070 Old Mill Road, 156 Princess Street, 197-205 Wellington Street, 2432 4th Concession Road, 2555 Highway 38, 490 Bagot Street, 711 King Street West, 991 Sydenham Road, 995 Sydenham Road and 512 Frontenac Street
File Numbers: R01-057-2023, R01-058-2023, R01-059-2023, R01-060-2023, R01-061-2023, R01-062-2023, R01-063-2023, R01-064-2023, R01-065-2023 and R01-023-2017

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

Section 29 of the *Ontario Heritage Act* authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, that demonstrate cultural heritage value or interest. Council shall, before giving notice of its intention to designate a property, consult with its municipal heritage committee.

This report provides background information regarding the evaluation of ten (10) properties to determine their cultural heritage value and interest. As these properties were found to exceed the threshold established by the Province of Ontario for Designation under Part IV of the *Ontario*

January 24, 2024

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Heritage Act, Heritage Planning staff recommend serving the owners with a Notice of Intention to Designate those properties at 1070 Old Mill Road, 156 Princess Street, 197-205 Wellington Street, 2432 4th Concession Road, 2555 Highway 38, 490 Bagot Street, 711 King Street West, 991 Sydenham Road, 995 Sydenham Road and 512 Frontenac Street.

The owners of the properties listed above have been provided with the draft designation by-laws and general information on heritage designations by registered mail. The owners were also invited to an open house on December 21, 2023, hosted by Heritage Planning staff. The properties meet the provincial criteria for evaluating cultural heritage value as set out in Ontario Regulation 9/06 and are thus recommended for designation.

The Notice of Intention to Designate and draft designation by-laws have been prepared in accordance with the recent amendments to the *Ontario Heritage Act*. Staff recommend serving Notice of Intention to Designate on the subject properties to ensure their conservation and to enable the City to provide support and resources to owners and tenants through the heritage permitting process and the Heritage Property Grant Program.

Recommendation:

That Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Intention to Designate the property located at 1070 Old Mill Road, known as the Riley 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-24-007; 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 1070 Old Mill Road, attached as Exhibit B to Report Number HP-24-007, 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 156 Princess Street, known as the Tolbert 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-24-007; 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 156 Princess Street, attached as Exhibit C to Report Number HP-24-007, 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 197-205 Wellington Street as a property of cultural heritage value or interest pursuant to

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Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-007; 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 197-205 Wellington Street, attached as Exhibit D to Report Number HP-24-007, 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 2432 4th Concession Road, known as the Hysop 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-24-007; 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 2432 4th Concession Road, attached as Exhibit E to Report Number HP-24-007, 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 2555 Highway 38, known as the Davidson 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-24-007; 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 2555 Highway 38, attached as Exhibit F to Report Number HP-24-007, 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 490 Bagot Street, known as the Millers Lane 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-24-007; 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 490 Bagot Street, attached as Exhibit G to Report Number HP-24-007, 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 711 King Street West, known as the Schroeder 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-24-007; and

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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 711 King Street West, attached as Exhibit H to Report Number HP-24-007, 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 991 Sydenham Road, known as the McGarvey 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-24-007; 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 991 Sydenham Road, attached as Exhibit I to Report Number HP-24-007, 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 995 Sydenham Road, known as the Harrigan 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-24-007; 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 995 Sydenham Road, attached as Exhibit J to Report Number HP-24-007, 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 512 Frontenac Street, known as La Paroisse St. Francios d'Assise, 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-24-007; 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 512 Frontenac Street, attached as Exhibit K to Report Number HP-24-007 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.

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Options/Discussion:

This report provides background information regarding the reasons for designating the following ten (10) properties, in order to conserve their cultural heritage value and interest. This report recommends serving a Notice of Intention to Designate (Exhibit A) under Section 29 of the *Ontario Heritage Act* on the following properties:

- 1070 Old Mill Road, known as the Riley House;
- 156 Princess Street, known as the Tolbert Building;
- 197-205 Wellington Street;
- 2432 4th Concession Road, known as the Hysop House;
- 2555 Highway 38, known as the Davidson House;
- 490 Bagot Street, known as the Millers Lane House;
- 711 King Street West, known as the Schroeder House;
- 991 Sydenham Road, known as the McGarvey House;
- 995 Sydenham Road, known as the Harrigan House; and
- 512 Frontenac Street, known as La Paroisse St. Francois d'Assise.

Section 29 of the *Ontario Heritage Act* authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest. Council shall, before giving notice of its intention to designate a property, consult with its Municipal Heritage Committee when the Council of a municipality has appointed a Municipal Heritage Committee (Kingston Heritage Properties Committee).

Through [Report Number HP-23-018](#), staff were directed to undertake the disposition of listed properties on the City of Kingston Heritage Register. Except for 512 Frontenac Street, the properties noted here are part of the disposition process whereby staff are evaluating, reviewing and advancing for designation those currently listed properties that meet at least two of the Provincial Criteria for Determining Cultural Heritage Value or Interest (Ontario Regulation 9/06).

The property at 512 Frontenac Street is not currently listed on the City of Kingston Heritage Register. However, staff have been in discussions with the owner of the property regarding its cultural heritage value, initially proposing designation in 2017. A mutually agreed-upon draft statement of cultural heritage value has recently been completed and included in the draft designation by-law (Exhibit K – Draft Designation By-law - La Paroisse St. Francois d'Assise). As the process to advance this matter is the same, staff have included this address for approval as well.

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

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Process

The Process for Designation is outlined in detail in [Report Number HK-21-004](#). The 2020 changes to the *Ontario Heritage Act* created a new two-tier appeal process for new designations. Following consultation with its heritage committee, Council can choose to serve a notice of its intention to designate a property under Section 29 of the *Ontario Heritage Act* on the property owner(s) and the Ontario Heritage Trust and publish a notice in the newspaper. Within 30 days of the publication of the notice in the newspaper, anyone can object by providing a notice of objection to the City Clerk.

Any notice of objection received by the Clerk's office is then sent to City Council for consideration. Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate or not. Its decision is required to be served on the owner(s) and be published in the newspaper in the form of either a Notice of Passing (after giving final reading to the by-law) or a Notice of Withdrawal.

Regardless of whether an objection is received or not, the public is afforded a second opportunity to appeal the designation to the Ontario Land Tribunal within 30 days of the publication of the Notice of Passing. The Tribunal will review the appeal, hold a hearing and render a binding decision on the fate and content of the designation.

Cultural Heritage Analysis

Nine (9) of the properties being advanced for heritage designation are currently included on the City of Kingston Heritage Register as non-designated properties of cultural heritage value (also known as Listed properties). Council listed 156 Princess Street, 197-205 Wellington Street, 2432 4th Concession Road, 490 Bagot Street and 711 King Street West in 2010, while 1070 Old Mill Road (formerly 999 Purdy's Mill Road), 2555 Highway 38, and 991 and 995 Sydenham Road were listed in 2016. 512 Frontenac Street is not currently included on the Register.

As required by the recent (2022) updates to the *Ontario Heritage Act*, the properties were evaluated against the 'Criteria for Determining Cultural Heritage Value or Interest' in Ontario Regulation 9/06, which requires each property to meet at least two (2) of the nine (9) criteria to be considered for designation under the Act. It was determined that these properties satisfied two or more of the Regulation's evaluation criteria and accordingly met the requirements for designation under the Act, as described below.

All by-laws were prepared by staff or the consulting firm Heritage Studios. The draft by-law for 512 Frontenac Street was prepared by staff in consultation with LHC Heritage Planning & Archaeology Inc.; a private consulting firm retained by the property owner. The report prepared by LHC is available through [DASH](#) under file number R01-023-2017.

The Heritage Properties Working Group has reviewed the draft by-laws and consultant's reports (where applicable) and supports the designation of the subject properties as properties of cultural heritage value and interest. The full statements of significance, including lists of

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attributes are included in the draft designation by-laws attached as Exhibits B through K. Photographs of each property are included in Exhibit L.

All owners were contacted by registered mail on December 1, 2023. Included with the cover letter was a copy of the draft by-law and an information sheet on heritage designations. A public open house meeting was held on December 21, 2023, hosted by Heritage Planning staff, in the Heritage Resource Centre at City Hall. No one chose to attend. While property owners are not required to support the designation for it to move forward, feedback received from the owners is considered and added to the draft by-laws as appropriate. Staff received no written objections at the time of writing this report.

Once designated, the subject properties are eligible for the Heritage Property Grant Program and owners will be able to apply for funding of up to \$5,000 for eligible restoration works once every two years.

Conclusion

Staff recommend proceeding with serving the Notice of Intention to Designate the ten (10) properties noted above. Exhibit A presents the Notice of Intention to Designate, prepared in accordance with the requirements of the *Ontario Heritage Act*, for both publication in The Whig Standard newspaper and a more detailed notice to be published on the City's website.

It is recommended that the Notice be served by the Clerk as required by Sections 29(3) and (4) of the Act. Should no notice of objection be received by the Clerk within the thirty (30) day timeframe, staff recommends that Council approve the draft designation by-laws, attached as Exhibits B through K, and serve a Notice of Passing in accordance with Section 29(8) of the Act.

Existing Policy/By-Law:

More Homes Built Faster Act, 2022 (Province of Ontario)

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

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

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

Ontario Regulation 385/21 – General Regulations (Ontario)

City of Kingston Official Plan

Notice Provisions:

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

January 24, 2024

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Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Kevin Gibbs, Director, Heritage Services, 613-546-4291 extension 1354

Joel Konrad, Manager, Heritage Planning, 613-546-4291 extension 3256

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

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

- Exhibit A Notice of Intention to Designate
- Exhibit B Draft Designation By-Law – Riley House
- Exhibit C Draft Designation By-Law – Tolbert Building
- Exhibit D Draft Designation By-Law – 197-205 Wellington Street
- Exhibit E Draft Designation By-Law – Hysop House
- Exhibit F Draft Designation By-Law – Davidson House
- Exhibit G Draft Designation By-Law – Millers Lane House
- Exhibit H Draft Designation By-Law – Schroeder House
- Exhibit I Draft Designation By-Law – McGarvey House
- Exhibit J Draft Designation By-Law – Harrigan House
- Exhibit K Draft Designation By-Law – La Paroisse St. Francois d’Assise
- Exhibit L Property Photographs

-- Website Version--

**Notice of Intention to Pass By-Laws 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:

1070 Old Mill Road (Lots 71 to 279, Block 288 to Block 296, Blocks 298 to Block 302, All inclusive, Blocks 306, 309 and 310, Plan 1853 ; Part Blocks 281, 283, 284, 285, 286 and 287, Plan 1853; Part Old Mill Road, Plan 1853 (Closed by By-law FC131563) and All of Greenbank Road, Cascade Drive, Marigold Drive, Bluebell Road, Bluebell Circle and Larkspur Place (Closed By Bylaw FC131563), Plan 1853 and Part Lots 17 and 18, Con 3 Township of Kingston and Part Road Allowance between Lots 17 and 18 Con 3 Township of Kingston, Parts 1 to 12 Inclusive and Part 17, Plan 13R20745, Save & Except Parts 1 to 7 Inclusive, Plan 13R20899 and Except Plan 13M115 Subject to an Easement in Gross Over Part 2, Plan 13R20745 as in FC94827 Subject to an Easement in Gross Over Parts 4,5,9 and 12 Plan 13R20745 as in FC111457 Subject to an Easement in Gross Over Parts 7 & 8 Plan 13R20745 As In FC94826 Subject to an Easement in Gross Over Part 6, Plan 13R20745 As In FR784498 Together with an Easement Over Part Lots 17 and 18 Con 3, Township of Kingston Parts 13, 14, 15 and 16 Plan 13R20745 as in FR546947; City of Kingston, County of Frontenac), known as the Riley House;

The Riley House is currently located on a large track of land at the terminus of Old Mill Road that is subject to a future residential subdivision and includes a representative example of an Ontario Gothic Revival Cottage from the mid-19th century. Its simple one-and-a-half-storey massing, symmetrical façade and large front gable are indicative of this style. The house was built for/by Edward Riley, who owned and operated a successful brick yard on the property. The building's limestone construction and prominent hill-top location, makes the Riley House a landmark amongst the modern apartment buildings and residences in the area. It is visually and historically tied to the former historic rural/Purdy's Mill area, and one of only a few remaining historic buildings of the former Waterloo/Catararqui Village not located on Sydenham Road. The heritage attributes include the limestone building, original openings, and large central gable with fish-scale bargeboard.

156 Princess Street (Part Lot 290 Original Survey Kingston City as in FR147156; S/T interest in FR147156; City of Kingston, County of Frontenac), known as the Tolbert Building:

Situated on a 230 square metre commercial property on the southwest corner of Princess and Bagot Streets, in downtown Kingston. The property contains a representative example of an early-19th century Georgian commercial building. Its

simple three-storey massing, restrained architectural detailing and the overall impression of balance and rhythm is typical of 19th century Georgian style for commercial buildings on downtown main streets in Ontario. The later brick addition to the rear, includes several fanciful, perhaps late Victorian, details that counter the restrained Georgian style of the stone corner building and provides a rare juxtaposition. The Tolbert Building was built in 1842 for property owner Eleanor Tolbert to plans by part-time architect Andrew Drummond and may be one his only known works in Kingston. The property supports the historic character of Princess Street and is linked visually and historically with this commercial block. Heritage attributes include the limestone building and brick addition, original window openings, and various stone, brick and wooden architectural detailing.

197-205 Wellington Street (Part Lot 118 Original Survey as in FR463319, S/T interest in FR197670; City of Kingston, County of Frontenac):

Located on the east side of the street, just north of Princess Street, the subject property contains two attached three-storey historic buildings. Built circa 1855, 197-201 Wellington Street is a representative example of a mid-19th century Georgian commercial building. With little ornamentation, this limestone building with gable roof complete with parapets and stone corbels, and symmetrical fenestration pattern, exemplifies the simple Georgian proportions that define the Georgian architectural style of the 19th-century. The adjacent brick building at 203-205 Wellington was built circa 1865 and is an early example of a Victorian commercial building in downtown Kingston. The Victorian style is exemplified by the tall and narrow window openings, the segmental arches, including the former carriageway, stone sills with corbelled brick brackets and decorative painted metal cornice. The property is associated with the prominent Cartwright family who commissioned the building of 203-205 Wellington Street and with the Crothers brothers, who ran a successful biscuit and confectionary business from this property for almost a century. Both buildings form part of an historical commercial row, which maintains and supports the character of Wellington Street. 203-205 Wellington Street's architectural style, including painted metal cornice, which matches the adjacent building to the north, links it visually and historically to its surroundings. Heritage attributes include the two three-storey buildings, their original openings and various stone, brick and metal architectural detailing.

2432 4th Concession Road (Part Lot 19 Con 4 Pittsburgh as in FR500719; former Pittsburgh Township; City of Kingston, County of Frontenac), known as the Hysop House:

Located on 3.2-hectare rural lot at the northeast corner of 4th Concession and Joyceville Roads, the property contains a one-and-a-half storey, mid-19th Century, Ontario vernacular limestone farmhouse. The Hyslop House is a rare example of this style as its main entrance is located on the gable end, while typical Ontario vernacular farmhouses exhibit a symmetrical facade with central low-pitched gable with a window and entranceway underneath. The western

elevation (facing Joyceville Road) includes the typical Georgian features such as the gable roof with central gable, embellished by decorative vergeboards and an arched window opening with radiating stone voussoirs. The main front entranceway however is located on the southern elevation and includes a recessed opening with molded panels, narrow side lights and a transom window. The Hysop House displays a high degree of craftsmanship through its exceptional quality of masonry and attention to detail, such as the squared and dressed stone on the walls and its slightly projecting uncoursed foundation. The house was built for John and Sarah Hysop who were a successful farming family in the area and who owned and worked the lands for more than 60 years. The Hysop House has contextual value as its architectural design and integrity supports and maintains the scenic and historic rural character of the road. Its heritage attributes include its massing and limestone construction, cross-gable roof, symmetrical fenestration pattern and attached limestone carriage house.

2555 Highway 38 (Part Lots 2 and 3 Concession 5 Kingston as in FR402561 (Firstly) Except Part 1, Plan 13R8537 and Part 1, Plan 13R19108; Except Parts 1 and 2, Plan 13R22273; S/T FR101876 Amended by RP1060 Subject to an Easement as In FR272461 Subject to an Easement as in FR304250; now City of Kingston, County of Frontenac), known as the Davidson House:

Situated on a 57-hectare rural lot on the southwest side of road, just south of Unity Road, in the former Kingston Township. The dwelling, known as the Davidson House (after Joseph and Mary Ann Davidson who built the house in 1860), is a rare example of a one-and-a-half storey, mid-19th Century, Ontario vernacular brick farmhouse with various architectural embellishments that display a high level of craftsmanship. Typically found for this style is the symmetrical façade, gabled roof with twin chimneys, a central medium-pitched gable with a window and entranceway underneath that are flanked by large rectangular window. The Davidson House is unusual for a vernacular building, however, as the bricks are laid in a Flemish bond pattern (i.e. header, stretcher, header). Further, the main entrance is wide with side lights and includes an elliptical brick arch with original fanlight. The central window opening above is also arched with brick voussoirs. The high degree of craftsmanship is also evident by the elaborate cornice with wide frieze board, deep soffits, decorative dentils and eave returns. The Davidson House has contextual value as it supports and maintains the scenic and rural character of the road. Heritage attributes include the brick dwelling, its symmetrical fenestration pattern with arched and rectangular openings, and its elaborate cornice.

490 Bagot Street (Lot 10 Plan B6 Kingston City; Part Lot 3 Plan B6 Kingston City as in FR431766; S/T FR431766; City of Kingston, County of Frontenac), known as the Millers Lane House:

Located on a 580 square metre residential lot on the west side of the street, south of Raglan Road and adjacent to the former Millers Lane, the Millers Lane House has design value as a rare example of eclecticism in residential architecture in the

Inner Harbour neighbourhood of Kingston. Eclecticism is the eclectic use of architectural styles, combining different architectural elements from several periods and regions in a single composition. The Millers Lane House demonstrates this design approach through its' Italianate, Gothic Revival, and Second Empire elements. Its two-storey, asymmetrical massing with cross-gable roof and square tower is clad in a red brick veneer and sits on an evenly coursed limestone foundation. The square tower has a bell-curved mansard roof with steeply pitched gable dormers with pointed sash windows. The variety of architectural detailing displays its eclecticism from its three different styles of paired wooden brackets to the pre-cast arches over the windows. The Millers Lane House also displays a high degree of craftsmanship as demonstrated through the decorative wood vergeboard with drop pendant, highly detailed wood brackets, frieze boards, brick quoining, and recessed brick panels. The Millers Lane House supports the historic and eclectic residential character of this portion of Bagot Street, which includes a variety of late 19th and early 20th century brick and frame houses. Its heritage attributes include its asymmetrical two-storey massing, square tower with bell-curved mansard roof and steeply pitched dormers, brick cladding, original openings and decorative wood detailing.

711 King Street West (Lot 11 N/S King St Plan 54 Kingston City; Part Lot 11 S/S Baiden St, Plan 54 Kingston City as in FR346311; City of Kingston, County of Frontenac), known as the Schroeder House:

Situated on a 950 square metre residential lot on the north side of the street, in Portsmouth Village, the property includes a representative example of an early-19th century one-and-a-half storey wood frame Georgian cottage. Typical of the Georgian style is the side gable roof with twin brick chimneys and a central neo-classical entranceway with side lights, flanked by symmetrically placed windows. The Schroeder House is named for James and Ann Schroeder who built the house in 1844. The former Village of Portsmouth has a distinct heritage character, consisting of a historic village atmosphere, and a variety of built heritage resources including frame and stone dwellings from the 19th century. With its distinct Georgian design, the Schroeder House helps define and maintain the historic village character of Portsmouth. Its heritage attributes include its massing and wood frame construction, side gable roof with twin brick chimneys, and symmetrical fenestration pattern.

991 Sydenham Road (Part Lot 15 Concession 3 Kingston Parts 1 & 3 13R5093; City of Kingston, County of Frontenac), known as the McGarvey House:

Located on a 1700 square metre residential lot on the west side of the road, in the former Cataraqui Village, the property includes a two-and-a-half storey red brick dwelling, built in the 1870s for Susan and Francis McGarvey. The style and design of the McGarvey House reflects a popular form found in pattern books and catalogs from the 1870s and '80s. The L-shaped plan, verandah, polychromatic brick, and numerous rectangular windows in a symmetrically organized pattern is typical of this style. The design is somewhat restrained in its appearance,

however, as the elevations are not punctuated by ornamental design elements such as dormers, bay windows or trim. The only note of whimsy is the yellow brick accents in the voussoirs. With its shallow setback, colour, style and location on Sydenham Road, the McGarvey House shares a visual and historical relationship with its surroundings and is important in defining and maintaining the historical context of the neighbourhood. Together with the stone building at 995 Sydenham Road, the stucco covered frame building at 983 Sydenham Road, as well as the Catarauqui Cemetery National Historic Site, the McGarvey House helps to define the historic village's rural character as it extends south to Princess Street. Its heritage attributes include the red brick dwelling with cross-gable roof and regular fenestration pattern.

995 Sydenham Road (Part Lot 15 Concession 3 Kingston as in FR613532; City of Kingston, County of Frontenac), known as the Harrigan House:

Located on a 1900 square metre residential lot on the west side of the road, in the former Catarauqui Village, the property includes a one-and-a-half storey limestone dwelling with a single-storey tail, built in the 1860s for Ann and George Harrigan. Built in limestone, the Harrigan House is one of the earliest surviving stone dwellings in or near the former Catarauqui Village. This makes the Harrigan House a rare example of a small vernacular stone dwelling from the mid-19th century in this area of Kingston. It was designed with a simple form with no overt detailing and in the Georgian tradition of placing the main entrance in the centre flanked symmetrically by large windows. With its shallow setback, limestone construction, age and location on Sydenham Road, the Harrigan House shares a visual and historical relationship with its surroundings and is an important part of the historical context of the neighbourhood and helps to maintain the character of the former village. Together with the stone building at 998 Sydenham Road, the brick house at 991 Sydenham Road and the Catarauqui Cemetery National Historic Site, the Harrigan House helps to define the historic village's rural character as it extends south to Princess Street. Its heritage attributes include the limestone dwelling with rear tail, gable roof, and regular fenestration pattern.

512 Frontenac Street (Lot 586, Plan A12, Kingston; Part Lot 585, Plan A12, Kingston as in FR115877 Except Part 1 on Reference Plan 13R-13405, & as in FR131530 Except the Easement Therein; City of Kingston, County of Frontenac), known as the La Paroisse St. Francios d'Assise:

The 0.13-hectare irregularly shaped property is located on the west side of the street, just north of Princess Street, and comprises a church complex known as La Paroisse St. Francios d'Assise. It is a unique example of a church in the Modern architectural style with influences from medieval religious buildings. Modern design elements include its concrete construction, simple detailing, and emphasis on function over decoration. Medieval elements include the arrangement of the building around a central courtyard, with arched openings and a campanile (slender tower). La Paroisse St. Francios d'Assise has historical value and associative value because it has a direct association with the

francophone community in Kingston, Club Champlain and architect Wilfred Sorensen. The property was designed in 1959 to serve as a place of worship, a centre for the francophone community of Kingston, an administrative centre, and a rectory. It is the only francophone parish in the Archdiocese of Kingston. With its unique architecture and place in the francophone community, La Paroisse St. Francios d'Assise is considered a landmark in Kingston. Heritage attributes include the massing of the stucco-clad buildings with its campanile and arched openings and their arrangement around a courtyard.

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, City Clerk

This XXX day of XXXX, 2024

City of Kingston

--- Newspaper Version--

**Notice of Intention to Pass By-Laws 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:

1070 Old Mill Road (Lots 71 to 279, Block 288 to Block 296, Blocks 298 to Block 302, All inclusive, Blocks 306, 309 and 310, Plan 1853 ; Part Blocks 281, 283, 284, 285, 286 and 287, Plan 1853; Part Old Mill Road, Plan 1853 (Closed by By-law FC131563) and All of Greenbank Road, Cascade Drive, Marigold Drive, Bluebell Road, Bluebell Circle and Larkspur Place (Closed By Bylaw FC131563), Plan 1853 and Part Lots 17 and 18, Con 3 Township of Kingston and Part Road Allowance between Lots 17 and 18 Con 3 Township of Kingston, Parts 1 to 12 Inclusive and Part 17, Plan 13R20745, Save & Except Parts 1 to 7 Inclusive, Plan 13R20899 and Except Plan 13M115 Subject to an Easement in Gross Over Part 2, Plan 13R20745 as in FC94827 Subject to an Easement in Gross Over Parts 4,5,9 and 12 Plan 13R20745 as in FC111457 Subject to an Easement in Gross Over Parts 7 & 8 Plan 13R20745 As In FC94826 Subject to an Easement in Gross Over Part 6, Plan 13R20745 As In FR784498 Together with an Easement Over Part Lots 17 and 18 Con 3, Township of Kingston Parts 13, 14, 15 and 16 Plan 13R20745 as in FR546947; City of Kingston, County of Frontenac), known as the Riley House;

156 Princess Street (Part Lot 290 Original Survey Kingston City as in FR147156; S/T interest in FR147156; City of Kingston, County of Frontenac), known as the Tolbert Building;

197-205 Wellington Street (Part Lot 118 Original Survey as in FR463319, S/T interest in FR197670; City of Kingston, County of Frontenac);

2432 4th Concession Road (Part Lot 19 Con 4 Pittsburgh as in FR500719; former Pittsburgh Township; City of Kingston, County of Frontenac), known as the Hysop House;

2555 Highway 38 (Part Lots 2 and 3 Concession 5 Kingston as in FR402561 (Firstly) Except Part 1, Plan 13R8537 and Part 1, Plan 13R19108; Except Parts 1 and 2, Plan 13R22273; S/T FR101876 Amended by RP1060 Subject to an Easement as In FR272461 Subject to an Easement as in FR304250; now City of Kingston, County of Frontenac), known as the Davidson House;

490 Bagot Street (Lot 10 Plan B6 Kingston City; Part Lot 3 Plan B6 Kingston City as in FR431766; S/T FR431766; City of Kingston, County of Frontenac), known as the Millers Lane House;

711 King Street West (Lot 11 N/S King St Plan 54 Kingston City; Part Lot 11 S/S Baiden St, Plan 54 Kingston City as in FR346311; City of Kingston, County of Frontenac), known as the Schroeder House;

991 Sydenham Road (Part Lot 15 Concession 3 Kingston Parts 1 & 3 13R5093; City of Kingston, County of Frontenac), known as the McGarvey House;

995 Sydenham Road (Part Lot 15 Concession 3 Kingston as in FR613532; City of Kingston, County of Frontenac), known as the Harrigan House; and

512 Frontenac Street (Lot 586, Plan A12, Kingston; Part Lot 585, Plan A12, Kingston as in FR115877 Except Part 1 on Reference Plan 13R-13405, & as in FR131530 Except the Easement Therein; City of Kingston, County of Frontenac), known as the La Paroisse St. Francios d'Assise.

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, City Clerk

This XXX day of XXX, 2024

City of Kingston

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 1070 Old Mill Road 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 2016;

On January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Riley House at 1070 Old Mill Road (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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

City of Kingston By-Law Number 2024-XX

Schedule “A”
Description and Criteria for Designation
Riley House

Civic Address: 1070 Old Mill Road

Legal Description:

Lots 71 to 279, Block 288 to Block 296, Blocks 298 to Block 302, All inclusive, Blocks 306, 309 and 310, Plan 1853 ; Part Blocks 281, 283, 284, 285, 286 and 287, Plan 1853; Part Old Mill Road, Plan 1853 (Closed by By-law FC131563) and All of Greenbank Road, Cascade Drive, Marigold Drive, Bluebell Road, Bluebell Circle and Larkspur Place (Closed By Bylaw FC131563), Plan 1853 and Part Lots 17 and 18, Con 3 Township of Kingston and Part Road Allowance between Lots 17 and 18 Con 3 Township of Kingston, Parts 1 to 12 Inclusive and Part 17, Plan 13R20745, Save & Except Parts 1 to 7 Inclusive, Plan 13R20899 and Except Plan 13M115 Subject to an Easement in Gross Over Part 2, Plan 13R20745 as in FC94827 Subject to an Easement in Gross Over Parts 4,5,9 and 12 Plan 13R20745 as in FC111457 Subject to an Easement in Gross Over Parts 7 & 8 Plan 13R20745 As In FC94826 Subject to an Easement in Gross Over Part 6, Plan 13R20745 As In FR784498 Together with an Easement Over Part Lots 17 and 18 Con 3, Township of Kingston Parts 13, 14, 15 and 16 Plan 13R20745 as in FR546947; City of Kingston, County of Frontenac

Property Roll Number: 1011 080 190 15183 0000

Introduction and Description of Property

The property at 1070 Old Mill Road, known as the Riley House, is located at the current (2023) terminus of Old Mill Road and east of the Cataraqui Cemetery National Historic Site, in the former Village of Cataraqui, in the City of Kingston. The subject property is currently about 54 hectares in size and subject to a future residential subdivision. The property contains a one-and-a-half storey limestone house, built circa 1871 for Edward Riley.

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 Riley House is a representative one-and-a-half storey Ontario Gothic Revival Cottage, which retains the symmetrical façade and large front gable that is indicative of this style. The house was built circa 1871 of locally-quarried limestone, which is laid in a broken course pattern with window openings featuring stone voussoirs and stone sills. The front gable’s fish scale shingles are likely a later addition, but, due to Riley’s various skills, these were possibly changes that he made himself and demonstrate the evolution of the property over the time of Riley’s ownership.

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 Riley House is associated with Edward (Ned) Riley, an English immigrant who constructed the house. The three Riley brothers (George, Edward and Alfred) immigrated to Kingston from England in the 1830s and eventually all settled in Waterloo Village (Cataraque Village). While George was a merchant and Alfred an innkeeper, Ned Riley was adept at many trades and agricultural practices, but he is best known as a local blacksmith and brick maker. Ned built his home around 1871 (curiously in limestone rather than brick), near to his brick yard on Purdy's Mill Road. The Riley brickyard appears to have been a successful business in the Village and beyond, employing six people, and, in 1886, reportedly providing bricks for works at Kingston Penitentiary. Located just east of the Cataraque Cemetery, Riley's brick making business was reportedly blamed for the death of 125 of the cemetery's trees in 1885. Ned was a lifetime bachelor and had no heirs. He died in 1906 at the age of 91.

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

The property has contextual value because it is a landmark.

The Riley House has contextual value as it is historically linked to the former historic rural/ Purdy's Mill area, which has been all but lost. The Riley House is one of the few remaining buildings not located on Sydenham Road, that is associated with the former thriving village and farming and milling community, known as Cataraque or Waterloo Village. This house would have been an integral part of the industrial life of the village and operation of the Riley Brickyard in the 19th century.

The Riley House is a local landmark due to its' prominent setting atop a hill as well as the juxtaposition of its' distinctive stone architecture with modern apartment buildings and residences.

Heritage Attributes

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

- One-and-a-half storey farmhouse, constructed from uncoursed local limestone, with steeply-pitched side gable roof;
- Large central gable with triple window opening and fish-scale shingles/bargeboard; and
- Regular fenestration pattern with stone sills and voussoirs, including symmetrical front façade with a central entranceway flanked by window openings.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 156 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 January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 156 Princess 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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

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

Civic Address: 156 Princess Street
Legal Description: Part Lot 290 Original Survey Kingston City as in FR147156;
S/T interest in FR147156; City of Kingston, County of
Frontenac
Property Roll Number: 1011 010 140 00200

Introduction and Description of Property

The property at 156 Princess Street is located on the south side of Princess Street, at the southwest intersection with Bagot Street, in downtown Kingston. The 230 square metre commercial property contains a three-storey limestone building, constructed in 1842, and a later two-storey brick rear addition (likely built in late 19th century), with frontage on both Princess and Bagot Streets.

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 Tolbert Building at 156 Princess Street, is a representative example of an early-19th century Georgian commercial building in downtown Kingston. Designed by architect Andrew Drummond, the building was intended to have two ground floor commercial units with residential above. While the ground floor elevations have been altered over the years, evidence of three openings remain along the Bagot Street frontage, aligning with the bays above.

The building's simple three-storey massing with five bays on Princess Street and four bays on Bagot Street, restrained architectural detailing (e.g., coursed, squared and hammer-dressed limestone masonry, stone windowsills and voussoirs, ashlar string courses, etc.), and the overall symmetry of architectural elements is typical of 19th century Georgian commercial rows on downtown main streets in Ontario. The building has a shallow hipped roof, currently obstructed by a large modern parapet.

Although the original/historic windows have been removed, the size and proportions of the original window openings, which have a vertical emphasis and decrease in height from the second to third floors, also reflect its Georgian commercial architectural style.

The later brick (now painted) addition to the rear, includes several fanciful, perhaps late Victorian, details that counter the restrained Georgian style of the main stone corner building and provides a rare juxtaposition. While the ground floor brick appears to be a later infill, the detailing on the second floor appears original, including brick pilasters, double rows of dentils voussoirs and string courses, as well as a wooden cornice at the roof with frieze, brackets and corbels, and a smaller wooden cornice between the floor levels with delicate dentils and rounded ends. As opposed to the organized and regularly placed window openings on the stone building, the brick building has three-bays in an almost random pattern, with the northern most bay isolated by brick pilasters that perhaps once coincided with an entrance detail on the ground floor (now lost).

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 limestone corner building has historical/associative value through its association with local architect and bank manager, Andrew Drummond, who designed the structure in 1841 for Eleanor Tolbert. Born and educated in Edinburgh Scotland, Drummond came to Canada in 1834. His primary employ was as a manager with the Bank of Montreal, but possibly through his position as a Trustee at Queen's College (later Queen's University), he explored his architectural interest by designing and bidding on various building tenders around Queens campus. While none of these buildings was realized, there is evidence that suggests that Drummond designed and lived in the double stone dwelling at 62-64 College Street as well as 156 Princess Street, making the Tolbert Building one of only a few known and extant works of Andrew Drummond in Kingston.

Eleanor Tolbert hired Drummond to design this building in 1841 for a mix of commercial and residential purposes. His design was constructed for Tolbert in 1842, who resided in a residential unit on the property with her daughter Mary until 1853, though she retained ownership of the property into the 1870s.

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 property has contextual value for its role in supporting and maintaining the historic commercial character of this portion of Princess Street and downtown Kingston. The property also has contextual value for its continuity of at-grade commercial storefronts, zero lot line setbacks and three-storey massing, which link it physically, visually and historically to this block of Princess Street.

Heritage Attributes

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

- Coursed, squared and hammer-dressed limestone construction, with ashlar string courses of the three-storey, five-bay by four-bay massing with hipped roof;
- The flat roofed rear/Bagot Street brick addition, with various brick, stone and wooden detailing including dentils, pilasters, corbels and wooden cornices with brackets, dentils, frieze boards and rounded ends; and
- Original window openings on second and third floors, and evidence of window/door openings on ground floor of the Bagot Street elevation, with voussoirs and sills.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 197-205 Wellington 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 January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as 197-205 Wellington 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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation

Civic Address: 197-205 Wellington Street
Legal Description: Part Lot 118 Original Survey as in FR463319, S/T interest in FR197670 City of Kingston, County of Frontenac
Property Roll Number: 1011 030 090 03000

Introduction and Description of Property

The property at 197-205 Wellington Street is located on the east side of Wellington Street on the block bordered by Princess Street to the south and Queen Street to the north, in the City of Kingston. The property contains two attached three-storey buildings that form part of a commercial row along the east side of Wellington Street. Built circa 1855 and 1865 respectively, 197-201 Wellington Street is limestone construction, while 203-205 Wellington Street is brick construction (now painted).

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.

Constructed circa 1855, 197-201 Wellington Street has design value as a representative example of a mid-19th century Georgian commercial building in downtown Kingston. Its three-storey massing is articulated by five-bays, stone string courses at sill level at the second and third floors and by the size and proportions of the windows, which decrease in height from the second to third floors (i.e., the windows are rectangular at the second floor and almost square on the third floor). All openings with flat heads are original. Its coursed limestone façade, gable roof with parapets and stone corbels, are also characteristic of its Georgian architectural style and age. The ground floor features two original commercial units above a limestone foundation with plain ashlar stone plinth. An original third entrance is centrally located to access the second and third floors for residential or office uses. The vertical division of uses is consistent with the historic development pattern in downtown Kingston.

203-205 Wellington Street has design value as an early example of a Victorian commercial building in downtown Kingston. Built between 1865 and 1871, its brick construction corresponds with a growth in popularity in Kingston of brick as a building material. Particularly noteworthy is the stretcher/running bond (i.e., no headers) on the façade, indicating a veneer tied back to the structural walls. This veneer was likely an aesthetic decision, with rougher less uniform brick units used in the structure behind. The architectural detailing is restrained, and its Victorian style is exemplified by the tall and narrow window openings, which give it a strong vertical character, and add to its perception of height. There are two different window widths, and their placement has a pattern aligning with the ground floor layout (i.e., narrow, wide, narrow over the

storefront and wide over the former carriageway). The window openings have segmental arches, and stone sills, with corbelled brick brackets under the sills on the third floor. The painted sheet-metal cornice with paired brackets largely matches that on the adjacent building to the north (207). It is possible that they were installed concurrently to provide unity along the row. The ground floor includes a commercial unit with entrance to upper floors. Elements of the original storefront remain, as evidenced by segmental arches, including the two door entrances and location of the storefront window. The surviving former carriageway, positioned to the south of the original storefront entrance opening, is an historical feature in downtown Kingston, which is known for its patios and back alleys.

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.

203-205 Wellington Street has associative value for its connection to the Cartwright family and Crothers brothers. The Cartwrights are an established, well-known Kingston family, with judge the Honourable Richard Cartwright, federal politician Sir Robert Cartwright, and philanthropist Harriet Dobbs Cartwright being notable members. The Cartwrights commissioned the construction of 203-205 Wellington Street and, in 1871, they sold the property to brothers William J. and Hutchinson Crothers. The Crothers also owned 207 Wellington Street, and there, along with an additional building to the north, they owned and operated W.J. Crothers Co. Ltd. Biscuit and Confectionary Manufacturers for almost a century.

Contextual Value

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.

Both buildings form part of an historical commercial row, which maintains and supports the character of Wellington Street. 203-205 Wellington Street's architectural style, including painted metal cornice, which matches the adjacent building to the north, links it visually and historically to its surroundings.

Heritage Attributes

Key exterior elements that contribute to 197-201 Wellington Street's cultural heritage value include its:

- Three-storey massing with five bays, constructed of coursed limestone masonry façade and a limestone foundation with plain ashlar plinths and string courses at windowsill level at the second and third floors;
- Gable roof with parapet walls and stone corbels at corners; and
- Original window openings with flat heads; and

City of Kingston By-Law Number 2024-XX

- Original ground floor openings with flat heads (two commercial units with central entrance provided access to upper floors).

Key exterior elements that contribute to 203-205 Wellington Street's cultural heritage value include its:

- Three-storey massing with four bays, including a brick veneer (red brick has been painted over) in stretcher/running bond on the façade, resting on a limestone foundation with plain ashlar stone plinth;
- Original window openings with stone sills (third floor sills with corbelled brick brackets) and segmental arches;
- Original ground floor entrance openings and storefront arrangement as evidenced by segmental arches above;
- Carriageway with segmental arch; and
- Decorative painted sheet-metal cornice with paired brackets and dentils.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 2432 4th Concession Road 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 January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Hysop House at 2432 4th Concession Road (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.

City of Kingston By-Law Number 2024-XX

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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Hysop House

Civic Address: 2432 4th Concession Road
Legal Description: Part Lot 19 Con 4 Pittsburgh as in FR500719; former Pittsburgh Township; City of Kingston, County of Frontenac
Property Roll Number: 1011 090 020 25400

Introduction and Description of Property

The Hysop House, located at 2432 4th Concession Road, is situated on the north side of the road at the northeast corner with Joyceville Road, in the former Township of Pittsburgh, now City of Kingston. The 3.2-hectare rural property contains a one-and-a-half storey limestone farmhouse and a number of 20th and 21st century rural outbuildings, built for John and Sarah Hysop around 1862.

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 Hysop House is a rare example of a one-and-a-half storey, mid-19th Century, Ontario vernacular limestone farmhouse. The Hyslop House is a rare example of this style as its main entrance is located on the gable end, while typical Ontario vernacular farmhouses exhibit a symmetrical facade with central low-pitched gable with a window and entranceway underneath that are flanked by large rectangular window openings. This feature does not appear to be a later alteration, as there is no evidence of a door ever being located on the west elevation, making this building a rare example of this style of Ontario vernacular house in the Kingston area.

The western elevation (facing Joyceville Road) includes the typical central gable, embellished by decorative vergeboards and an arched window opening with radiating stone voussoirs. The main front entranceway, however, is located on the southern elevation and includes a recessed opening with molded panels, narrow side lights and a transom window.

The Hysop House’s T-shaped plan includes a kitchen tail addition on its eastern side, with a later stone carriage house attached thereto. Common for this Georgian-influenced Ontario vernacular style of house is the medium-pitched gable roof and regular arrangement of rectangular window openings found throughout the building. A single brick chimney is located at the northern gable end of the main house and at the eastern gable end of the kitchen tail. A third brick chimney is found on the southern gable end of the carriage house addition.

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

The high degree of craftsmanship of the Hysop House is evident in the exceptional quality of the masonry. The limestone on the main house is squared, dressed and laid in courses and includes stone voussoirs that top all the doors and window openings of the house, and stone sills that underscore the windows. The limestone foundation is slightly projecting and uncoursed to provide a distinction and contrast to the walls of the main building. The single-storey carriage house, while likely built at a slightly later time, is also constructed with the buff-coloured Pittsburgh Township limestone and laid in courses.

Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The Hysop House is associated with John and Sarah Hysop who constructed and lived in the house with their five children. The Hysops were a successful farming family in the area and at one point owned over 81 hectares (200 acres) and employed five workers and a housekeeper. The Hysop family owned the property until 1926.

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

The Hysop House has contextual value as its architectural design and integrity support and maintain the scenic and historic rural character of the road.

Cultural Heritage Attributes

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

- One-and-a-half storey, T-shaped plan, limestone dwelling with central medium-pitched gable that includes an arched window opening with radiating stone voussoirs;
- Symmetrical fenestration of rectangular openings with stone voussoirs and stone sills,
- Recessed main entranceway with molded surrounds, narrow side lights and transom;
- Medium-pitched cross-gabled roof with three brick chimneys, and decorative wooden vergeboard on the gables;
- Attached limestone carriage house with flat-arched carriageway opening; and
- Visibility and legibility of the heritage attributes from the roads.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include its:

- Modern detached outbuildings

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 2555 Highway 38 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 2016;

On January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Davidson House at 2555 Highway 38 (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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Davidson House

Civic Address: 2555 Highway 38
Legal Description: Part Lots 2 and 3 Concession 5 Kingston as in FR402561 (Firstly) Except Part 1, Plan 13R8537 and Part 1, Plan 13R19108; Except Parts 1 and 2, Plan 13R22273; S/T FR101876 Amended by RP1060 Subject to an Easement as In FR272461 Subject to an Easement as in FR304250; City of Kingston, County of Frontenac
Property Roll Number: 1011 080 230 20800

Introduction and Description of Property

The Davidson House, located at 2555 Highway 38, is situated on the south-west side of the road just south of Unity Road and the hamlet known as Glenvale, in the former Township of Kingston, now part of the City of Kingston. This 57-hectare rural property contains a one-and-a-half storey brick farmhouse with a modern single-storey wing (and a number of 20th century rural outbuildings), built in 1860 for the Davidson family.

Joseph and Mary Ann Davidson purchased the property in 1853 and constructed the house in 1860. Mary Ann was a member of the Ellerbeck family who were well-known early United Empire Loyalist settlers to the area. The Davidson family lived and farmed this property for 30 years.

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 Davidson House is a rare example of a one-and-a-half storey, mid-19th Century, Ontario vernacular brick farmhouse with various architectural embellishments that display a high level of craftsmanship. Typical of this style is the symmetrical façade, gabled roof with twin chimneys, a central medium-pitched gable with a window and entranceway underneath that are flanked by large rectangular window openings. The Davidson House is unusual for a vernacular building, however, as the bricks are laid in a Flemish bond pattern (i.e. header, stretcher, header). Further, the main entrance is wide with side lights and includes an elliptical brick arch with fanlight. The central window opening above is also arched with brick voussoirs. The high degree of craftsmanship is also evident by the elaborate cornice with wide frieze board, deep soffits, decorative dentils and eave returns.

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

The Davidson House has contextual value as it supports and maintains the scenic and rural character of the road.

Heritage Attributes

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

- One-and-a-half storey red brick farmhouse in Flemish bond pattern, with limestone foundation;
- Medium-pitch side gable roof with a central medium-pitch gable and two brick chimneys located on the gable ends;
- Elaborate cornice with dentils and wide frieze board;
- Symmetrical front façade with central entranceway flanked by large window openings;
- Central arched window opening in the gable, with brick voussoirs and stone sill, and elliptical arched central entranceway with side lights and fanlight (not original);
- Rectangular window openings throughout with stone sills and brick voussoirs;
- South elevation with two small window openings in the gable and two larger window openings on the first storey; and
- Visibility and legibility of the heritage attributes from the roads.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include its:

- Modern detached outbuildings, pool and fences.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 490 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 January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Millers Lane House at 490 Bagot 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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Millers Lane House

Civic Address: 490 Bagot Street
Legal Description: Lot 10 Plan B6 Kingston City; Part Lot 3 Plan B6 Kingston City as in FR431766; S/T FR431766; City of Kingston, County of Frontenac
Property Roll Number: 1011 030 120 01300

Introduction and Description of Property

The Millers Lane House at 490 Bagot Street is located on the west side of Bagot Street, south of Raglan Road and adjacent to the former Millers Lane, in the Inner Harbour neighbourhood in the City of Kingston. The approximately 580 square metre residential property contains a detached two-storey red brick residential building, constructed circa 1883-1884.

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 Millers Lane House has design value as a rare example of eclecticism in residential architecture in the Inner Harbour neighbourhood of Kingston. The eclectic use of architectural styles began in residential building design during the late 19th century and is characterized by combining different architectural elements from several periods and regions in a single composition. The residence at 490 Bagot Street demonstrates this design approach through its’ Italianate, Gothic Revival, and Second Empire elements. Its two-storey, asymmetrical massing with cross-gable roof and square tower is clad in a red brick veneer in stretcher/running bond and sits on an evenly coursed limestone foundation. The square tower has a bell-curved mansard roof with steeply pitched gable dormers with pointed sash windows, likely original. The variety of architectural detailing is eclectic from its three different styles of paired wooden brackets to the pre-cast arches over the windows, which are mostly paired and share a single stone sill. The window openings have been partially infilled on the exterior and would likely have had arched upper sashes to match the pre-cast arches above. A large original brick chimney remains on the north face of the front gable.

The Millers Lane House also has design value for its high degree of craftsmanship as demonstrated through the decorative wood vergeboard with drop pendant, highly detailed wood brackets, frieze boards, brick quoining, and recessed brick panels.

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

The Millers Lane House supports the historic and eclectic residential character of this portion of Bagot Street, which includes a variety of late 19th and early 20th century brick and frame houses.

Heritage Attributes

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

- Two-storey asymmetrical massing with cross-gable roof and square tower;
- Evenly coursed limestone foundation;
- Red brick veneer in stretcher/running bond with quoining on corners and recessed panels under the eave on the south elevation;
- Square tower with bell-curved mansard roof and steeply pitched gable dormers with pointed sash windows;
- Decorative wood detailing including the vergeboard and drop pendant in the front gable, larger paired brackets under the main eave, smaller paired brackets under the eaves of the bay windows, single brackets under the eave of the mansard roof, and frieze boards throughout;
- Brick chimney; and
- Original window openings (mostly paired) with pre-cast stone arches (a formulation of finely ground hydraulic lime or natural cement, sands, and stone dust in that period) and limestone sills.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 711 King Street West 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 January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 711 King Street West (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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Schroeder House

Civic Address: 711 King Street West
Legal Description: Lot 11 N/S King St Plan 54 Kingston City; Part Lot 11 S/S Baiden St, Plan 54 Kingston City as in FR346311; City of Kingston, County of Frontenac
Property Roll Number: 1011 070 090 14600

Introduction and Description of Property

The Schroeder House at 711 King Street West is located on the north side of the street, just east of Union Street in the Village of Portsmouth, now City of Kingston. This 950 square metre residential property contains a one-and-half-storey Ontario vernacular frame house constructed in 1844, with a series of non-contributing modern additions.

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 Schroeder House is a good representative example of an early-19th century one-and-a-half storey wood frame Georgian cottage. Typical of the Georgian style is the side gable roof with twin brick chimneys and a central neo-classical entranceway with side lights, flanked by symmetrically placed windows. The limestone foundation is also visible.

While this building has been modified and restored several times, it still retains a strong Georgian character. Some modern interventions that respect and support this heritage character includes the clapboard siding, eave returns, and simulated 12-pane sash windows.

The house was built for James and Ann Schroeder, an English immigrant and sausage maker, in 1844, possibly to plans by William Coverdale (not confirmed). The Schroeders raised their four children and lived in this house for over twenty years.

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

The former Village of Portsmouth has a distinct heritage character, consisting of a historic village atmosphere, and a variety of built heritage resources including frame and stone dwellings from the 19th century. With its distinct Georgian design, the Schroeder House helps define and maintain the historic village character of Portsmouth.

Heritage Attributes

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

- One-and-a-half storey dwelling of wood frame construction, clad in a clapboard exterior (not original), with a limestone foundation;
- Side gable roof with eave returns and twin red brick corbelled chimneys located at each gable end;
- Symmetrical front façade with central entranceway with side lights, flanked by rectangular window openings;
- Symmetrical second-storey side-elevation window openings; and
- Visibility and legibility of its heritage attributes from the road.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include the:

- Two-storey hipped-roof rear addition.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the properties at 991 Sydenham Road 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 2016;

On January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property known as the McGarvey House at 991 Sydenham Road (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.

City of Kingston By-Law Number 2024-XX

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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
McGarvey House

Civic Address: 991 Sydenham Road
Legal Description: Part Lot 15 Concession 3 Kingston Parts 1 & 3 13R5093; City of Kingston, County of Frontenac
Property Roll Number: 1011 080 190 28700

Introduction and Description of Property

The McGarvey House, located at 991 Sydenham Road is located on the west side of the road, south of Crossfield Avenue, in the former Cataraqui Village, now the City of Kingston. Situated on an approximately 1700 square metre residential property, the McGarvey House includes a two-and-a-half storey red brick house with a later single storey rear addition. The house was built for Susan and Francis McGarvey in the mid-1870s.

The original owners, Francis and Susan McGarvey, were Roman Catholic Irish immigrants who appear to have originally been tenants residing in a smaller house on the original property. Francis was a labourer and gardener. The McGarvey's later built the current brick structure after purchasing the lands outright in the 1870s.

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 style and design of the McGarvey House reflects a popular form found in pattern books and catalogs from the 1870s and '80s. The L-shaped plan, verandah, polychromatic brick, and numerous rectangular windows in a symmetrically organized pattern is typical of this style. The design is somewhat restrained in its appearance, however, as the elevations are not punctuated by ornamental design elements such as dormers, bay windows or trim. The only note of whimsy is the yellow brick accents in the voussoirs.

The current verandah is a later addition. The original verandah likely did not extend around the north end wall and possibly had more curvilinear brackets; however, a large verandah is an important component of this type of building.

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.

With its shallow setback, colour, style and location on Sydenham Road, the McGarvey House shares a visual and historical relationship with its surroundings and is important in defining and maintaining the historical context of the neighbourhood. The former village of Cataraqui consists of several 19th century brick, frame and limestone residences, churches, and cemeteries. Together with the stone building at 995 Sydenham Road, the stucco covered frame building at 983 Sydenham Road, as well as the Cataraqui Cemetery National Historic Site, the McGarvey House helps to define the historic village's rural character as it extends south to Princess Street.

Heritage Attributes

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

- Two-and-a-half-storey massing, red brick construction with yellow coloured brick accents;
- Medium pitched cross gable roof, with brick chimney;
- Regular pattern of original window and door openings with segmental arches; and
- Visibility and legibility of its heritage attributes from the road.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include the:

- Later rear addition.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the properties at 995 Sydenham Road 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 2016;

On January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Harrigan House at 995 Sydenham Road (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.

City of Kingston By-Law Number 2024-XX

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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Harrigan House

Civic Address: 995 Sydenham Road
Legal Description: Part Lot 15 Concession 3 Kingston as in FR613532; City of Kingston, County of Frontenac
Property Roll Number: 1011 080 190 28600

Introduction and Description of Property

The Harrigan House, located at 995 Sydenham Road is located on the west side of the road, just south of Crossfield Avenue, in the former Village of Cataraqui, now the City of Kingston. Situated on an approximately 1900 square metre residential property, the Harrigan House consists of an 1860s one-and-a-half storey limestone house with a single-storey tail, as well as a recent (2003) two storey addition added to the rear. The house was built for local farmers, George and Ann Harrigan and their family to replace an earlier frame dwelling.

The Harrigan family, Roman Catholic Irish immigrants, successfully ran a farm on leased land and first lived in a one-storey frame house on the property. As their family expanded and their farm prospered, this stone house, with its simple classical elements, became their new home.

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.

This stone house with its rear tail was likely built in the 1860s and appears on the Ordnance Plan of 1869. Built in limestone, this small house is one of the earliest surviving stone dwellings in or near the former Cataraqui Village. This makes the Harrigan House a rare example of a small vernacular stone dwelling from the mid-19th century in this area of Kingston/formerly Cataraqui Village.

The Harrigan House is a good example of a simple, functional dwelling in a former village. It was designed with a simple form with no overt detailing and in the Georgian tradition of placing the main entrance in the centre flanked symmetrically by large windows. While only one survives, likely a matching chimney was originally constructed to balance at each gable end.

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.

With its shallow setback, limestone construction, age and location on Sydenham Road, the Harrigan House shares a visual and historical relationship with its surroundings and is an important part of the historical context of the neighbourhood and helps to maintain the character of the former village. Together with the stone building at 998 Sydenham Road, the brick house at 991 Sydenham Road and the Cataraqui Cemetery National Historic Site, the Harrigan House helps to define the historic Village of Cataraqui's rural character as it extends south to Princess Street.

Heritage Attributes

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

- One-and-a-half-storey, three-bay massing with rear single-storey tail, all of limestone construction with regular coursing on the façade and random coursing on the sides;
- Medium pitched gable roof, with brick chimney; and
- Regular pattern of original window and door openings with stone voussoirs.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 512 Frontenac 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;

On January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally owned as La Paroisse St. François d'Assise at 512 Frontenac 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, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

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

La Paroisse St. François d’Assise

Civic Address: 512 Frontenac Street
Legal Description: Lot 586, Plan A12, Kingston; Part Lot 585, Plan A12, Kingston as in FR115877 Except Part 1 on Reference Plan 13R-13405, & as in FR131530 Except the Easement Therein; City of Kingston, County of Frontenac
Property Roll Number: 1011 050 020 11200

Introduction and Description of Property

The property is an irregularly shaped lot on the west side of Frontenac Street in the City of Kingston, Ontario. The approximately 0.13-hectare lot comprises a church complex around a central courtyard. It includes a hall above an open portico area with arched openings along the front of the property, a two-storey rectory along the south edge of the property, and the nave and entry porch with campanile (a slender tower topped by cross) near the west side of the property. The church, known as La Paroisse St. François d’Assise was built from 1959-1961 to plans by architect Wilfred Sorensen, to serve the francophone Roman Catholic community of Kingston.

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.

La Paroisse St. François d’Assise has design and physical value because it is a unique example of a church in the Modern architectural style with influences from medieval religious buildings. Modern design elements include its concrete construction, simple detailing, and emphasis on function over decoration. Medieval elements include the arrangement of the building around a central courtyard, with arched openings and a campanile. The stucco/roughcast exterior, use of wood and exposed beam ends are features of both modern and medieval styles. The resemblance to medieval church and monastery architecture creates a visual link to French and European medieval architectural traditions and sets this property apart from other modern churches in the Kingston area.

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 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.

La Paroisse St. François d'Assise has historical value and associative value because it has a direct association with groups that are significant to the community. The church is directly associated with the francophone community in Kingston, Club Champlain and architect Wilfred Sorensen.

By 1950, the French community in Kingston comprised approximately 2000 people, yet they did not have a school or parish in which to conserve their culture and language. Prior to the establishment of the St. François parish, those wanting to experience mass in French had to attend Regiopolis College (Hotel Dieu Hospital) and then later the House of Providence. Club Champlain was established as a social club that became instrumental in founding La Paroisse St. François d'Assise to create a central community cultural centre for Kingston's francophones.

La Paroisse St. François d'Assise also has associative value because it reflects the work and creativity of prominent local architect, Wilfred Sorensen, who designed it in 1959. Born in Denmark in 1931, Sorensen moved to Canada in 1941 where he studied architecture at McGill University. He opened his architectural office in Kingston in 1956 and designed his first known church, Church of the Redeemer at 89 Kirkpatrick Street (now the Korean Church), in 1957. Some of his most well-known projects and renovations in the area include the church hall of Glenburnie, the Central Branch of the Frontenac Public Library, the 1965 addition to the Smith Robinson Building, and the 1972 restoration of the George Brown round-corner building at Brock and Wellington Streets. He was awarded the Margaret Angus Award for lifetime achievement by the Frontenac Heritage Foundation in 2020.

The property has contextual value because it is a landmark.

La Paroisse St. François d'Assise was designed to serve as a place of worship, a centre for the francophone community of Kingston, an administrative centre and a rectory. It is the only francophone parish in the Archdiocese of Kingston. With its unique architecture and place in the francophone community, La Paroisse St. François d'Assise is considered a landmark in Kingston.

Heritage Attributes

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

- The orientation and setback of the church on Frontenac Street;
- The arrangement of the building around a central courtyard;
- Views through the Portico into the courtyard and of the main entrance from Frontenac Street;
- Roughcast/stucco cladding;

- Key elements of the Nave and entry porch sections include:
 - Round campanile (tower) surmounted by a cross;
 - Shallow pitch side gable roof supported on arched concrete beams;
 - Roof beam ends on the building exterior where they resemble corbels;
 - Flat-headed windows between the beam ends (“corbels”) on the east and west elevations;
 - Arched window openings with plain moulded concrete surrounds on the east and west elevations;
 - Shed roofed entrance porch with projecting eaves and corbels on the northeast corner;
 - Arched entranceway with plain moulded concrete surround;
 - Wood main entrance double doors with cross pattern windows;
- Key elements of the Rectory section include:
 - Symmetrical arrangement of window and door openings on the north elevation;
- Key elements of the Portico and Hall section include:
 - Shallow pitch side gable roof supported on arched concrete beams;
 - Roof beam ends on the building exterior where they resemble corbels; and,
 - Four arched arcade openings on each side of the Portico.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include its:

- Grass area and tree north of the church;
- Gardens and concrete walkways in the courtyard;
- Wall mural inside the Portico (1990);
- Metal bell frame with bell in the courtyard (1990);
- Stained glass windows (1997); and,
- All other interior features besides those mentioned in the list of heritage attributes above.

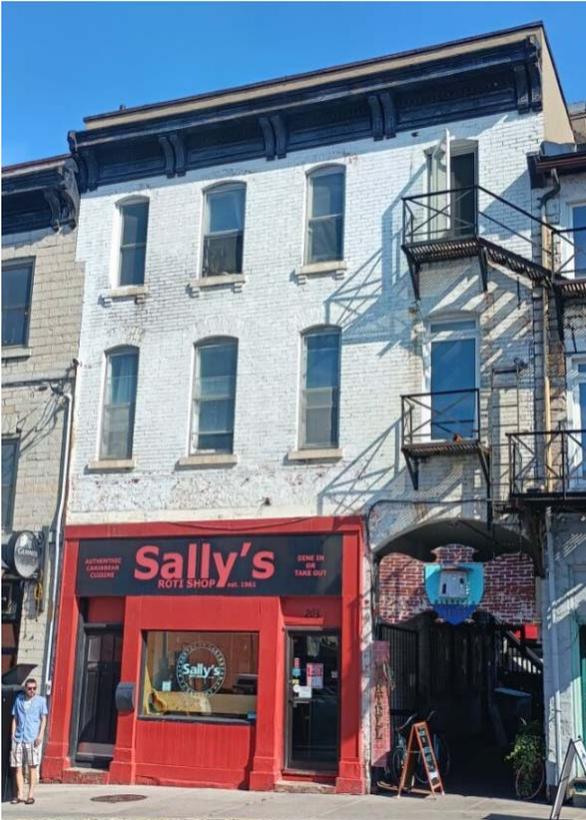
1070 Old Mill Road –
Riley House



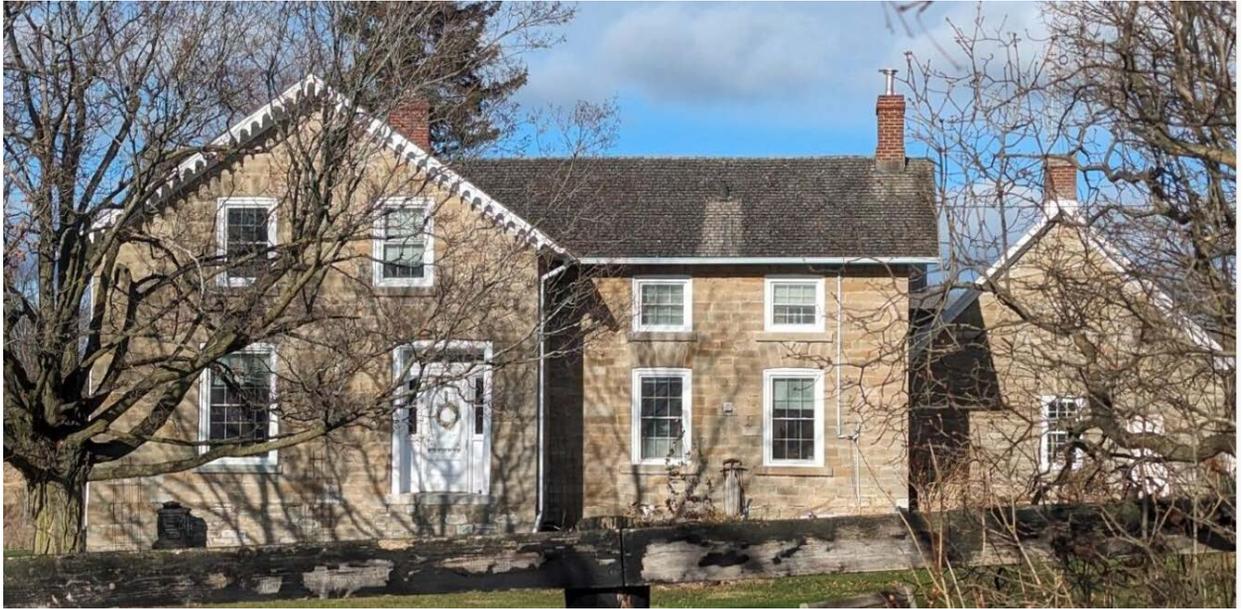
156 Princes Street –
Tolbert Building



197-205 Wellington Street



2432 4th Concession Road – Hysop House



Looking North



Looking East



Looking N-W



Google 2023



2555 Highway 38 –
Davidson House



490 Bagot Street – Millers Lane House



711 King Street West –
Schroeder House



991 Sydenham Road –
McGarvey House



995 Sydenham Road –
Harrigan House



512 Frontenac Street –
La Paroisse St. François d'Assise





City of Kingston
Information Report to Kingston Heritage Properties Committee
Report Number HP-24-006

To: Chair and Members of the Kingston Heritage Properties Committee

From: Jennifer Campbell, Commissioner, Community Services

Resource Staff: Kevin Gibbs, Director, Heritage Services

Date of Meeting: January 24, 2023

Subject: Window Policy and Guidelines

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

This report is to update the Kingston Heritage Properties Committee on a future motion being brought to Council in early 2024 for approval of the proposed updates to the City's "Policy on Window Renovations in Heritage Buildings" (Existing Window Policy). This updated policy is titled the "City of Kingston Window Policy and Guidelines" (Updated Window Policy).

This report presents high level reasons for the proposed changes from the Existing Window Policy, which include additional clarity for applicants/homeowners when submitting a heritage permit, increased staff efficiency, requirements for the review of window conditions by qualified professionals, and to outline best practices to maintain the heritage value of protected properties.

The Existing Window Policy was approved by Council on December 18, 2012.

Recommendation:

This report is for information only.

January 24, 2023

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Jennifer Campbell,
**Commissioner, Community
Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Lanie Hurdle, Chief
Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

January 24, 2023

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Options/Discussion:

The existing Policy on Window Renovations in Heritage Buildings (the Existing Window Policy) describes the value that Contributing Windows (previously referred to as Period Windows) make to a property's aesthetics and authenticity and ensures that alterations to Contributing Windows on protected heritage properties are minimal and sympathetic to the property. It also provides guidance on renovations or changes to Contributing Windows. The proposed "City of Kingston Window Policy and Guidelines" (Updated Window Policy) aims to build upon the Existing Window Policy by increasing clarity, standardizing the permit review process, and expanding guidance as well as best practices on windows on protected heritage properties generally.

Window Policy Updates

The Existing Window Policy has been effective in setting standards that must be met prior to removing or altering Contributing Windows. However, these policies have sometimes proven challenging for the public to interpret and have required additional staff input to appropriately implement. One goal of the proposed Updated Window Policy is to clearly detail assessment expectations such as when an assessment is required, what must be reviewed in the assessment, and the specialist qualifications required to prepare an assessment. Assessments will be considered by City staff when making recommendations to the Kingston Heritage Properties Committee and Council. The Updated Window Policy also clearly details when a qualified professional is not required, staff expectations on the design of window replacements, and requirements for the retention/restoration of related window elements. These changes should allow for additional clarity for applicants/homeowners earlier in the heritage permit process and reduce staff time commitments during the review of the associated heritage permit, while continuing to protect Contributing Windows.

Window Guidelines & Application Requirements

The Updated Window Policy provides detailed recommendations and best practices in a more accessible format than the Existing Window Policy. It provides additional guidance on compatible/incompatible windows; appropriate materials/colours/designs; window alterations to the interior of protected properties; storm windows and screens; the importance and use of shutters; and sets conditions for consolidating Contributing Windows along certain storeys or elevations. In addition, the Updated Window Policy includes a new section that details application requirements when window alterations are part of a heritage permit application. These changes should allow the public to consider best practice for windows earlier in the process, provide clarity to the general public on related window elements and their importance (i.e. shutters), and help expedite staff discussions with applicants/homeowners.

Public Engagement

To support the Updated Window Policy, Heritage Planning staff have engaged with the Heritage Properties Working Group twice since 2022. This first occurred in late 2022 by engaging in

January 24, 2023

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multiple high-level discussions and again in late 2023 by providing the draft language for review and comment. Their feedback has been reviewed and, where applicable, has been implemented into this proposed Updated Window Policy document.

Next Steps

Comments from the Heritage Properties Committee on the Updated Window Policy will be considered and incorporated as applicable. A final version will be brought to a future meeting of the Committee for recommendation to Council for approval and adoption.

Existing Policy/By-Law

The entire text of the Existing Window Policy has been included in Exhibit A.

Notice Provisions

None

Financial Considerations

None

Contacts:

Joel Konrad, Manager, Heritage Planning, 613-546-4291 extension 3256

Phillip Prell, Intermediate Planner, 613-546-4291 extension 3219

Other City of Kingston Staff Consulted:

Alan McLeod, Senior Legal Counsel & Deputy City Solicitor, 613-546-4291 extension 1237

Exhibits Attached:

Exhibit A Existing "Policy on Window Renovations in Heritage Buildings"

Exhibit B Proposed "City of Kingston Window Policy and Guidelines"

POLICY ON WINDOW RENOVATIONS IN HERITAGE BUILDINGS

Approved by City Council December 18, 2012

Purpose:

The City of Kingston recognizes that Period Windows are an integral component of heritage buildings and their conservation is of great importance to the character of the City. Both original and appropriate replacement windows help define a building's character, integrity and cultural heritage value.

This policy:

- affirms the contributions that Period Windows make to a building's aesthetics and authenticity;
- ensures that inappropriate or unnecessary alterations to Period Windows on Protected Heritage Properties within the City are minimal; and
- provides guidance with regards to renovations and changes to Period Windows in older and heritage buildings within the City of Kingston.

Glossary:

"Heritage Attribute" refers to the listed features of cultural heritage value or interest of a Protected Heritage Property, as required by the *Ontario Heritage Act*, in the respective Part IV or V designation By-law or heritage easement under Parts II or IV; sometimes referred to as a Character Defining Elements or Features.

"Period Window(s)" refers to (an) original window(s) or those replacement windows that are historically and architecturally appropriate to the cultural heritage value of the building and property.

"Protected Heritage Property" is real property designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; a National Historic Site; or a property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

"Window(s)" includes any window on any storey, or portion of a floor, and refers to not only the glass (stained or otherwise), glazing pattern, frame and sash but also includes but is not limited to the window openings (sills and lintels), all mouldings, casings, muntin bars, joinery, and all hardware and other components.

Policy for Period Windows which are Heritage Attributes:

Original windows are typically well made tangible examples of the craftsmanship of the era in which they were made. Existing original windows have survived for decades, typically in their original location, and they must be conserved.

The City recognizes that a building may no longer have all of the components of its original windows but instead has older windows that relate to a particular period in its history. This may be caused, for example, when the windows have been replaced after a fire or when the building underwent a major expansion or renovation.

Period Windows may have cultural heritage value meriting retention and protection even though they are not original to the building, particularly if they are constructed of a similar material and with similar methods to the original. **Where the windows are identified as a Heritage Attribute, the City of Kingston requires the retention of Period Windows and recommends they be repaired in accordance with this policy.**

When the repair of a Period Window is necessary or if the replacement of the window is justified, as described below, all window mouldings, sill, jambs, head and brick mould and casings, etc., must be retained as far as possible. The design of all replacement components should, as closely as possible, replicate the Period Window, as supported by photographs or historic plans, so that character defining features such as the material, glazing pattern, glass, rail and stile dimensions, moulding profiles, muntin bar sizes and the joinery are retained. The use of dark or reflective glass as part of a Period Window is not appropriate.

Most Period Windows can be repaired and therefore should only be replaced as a last option. Replacement of a Period Window on a Protected Heritage Property will only be considered when the Period Window is so deteriorated that even if it was repaired very little original material would remain.

Guideline for Windows which are not Heritage Attributes on Protected Heritage Properties:

Where a window is not a Period Window on a Protected Heritage Property and is an inappropriate replacement unit that is not in keeping with the character of the building and has little or no cultural heritage value, its replacement should be considered. The replacement window should be designed to replicate a Period Window as closely as possible. The use of metal clad windows (wooden windows with metal covering) can also be considered in this situation.

Guideline for Period Windows on Non-Protected Heritage Properties:

If the Period Window is not on a Protected Heritage Property, the City of Kingston encourages owners to retain Period Windows and suggests that they be repaired in

accordance with the above-noted policy, but this cannot be required by the municipality under the Ontario Heritage Act.

Improving Thermal Efficiency in Period Windows:

Thermal efficiency of windows is an important part of improving the energy use of a building. With the use of weather stripping, caulking, storm windows, shutters and proper window maintenance, older windows can be upgraded to improve their thermal efficiency. Older windows can be upgraded to acceptable performance standards that are comparable to most modern windows, while maintaining the heritage character of the building.

<POLICY #> - CITY OF KINGSTON WINDOW POLICY AND GUIDELINES

Policy #	assigned by the communications officer (web developer).
Effective Date	February 6, 2024
Status	Final Draft
Final Approver	Council

1.0 Interpretation

1.1 In this policy, unless the context requires otherwise:

“appropriately designed windows” refers to existing *windows*, or replacement *windows*, that are designed to be architecturally sympathetic and maintain the cultural heritage value of both the building and property. *Appropriately designed windows* are usually high-quality *windows* that use period appropriate construction materials to emulate the appearance/design of a *contributing window*. These *windows* are typically custom made or specifically chosen to suit the age and architecture of the building and property. While these *windows* maintain the value of the building and property, they cannot emulate the true essence of a *contributing window* due to changes in construction techniques, the lack of available appropriate materials, or their age as they are unable to reflect the physical changes resulting from decades or centuries of use (e.g. the glass has no waves, is made from commercially available instead of old growth wood, or has been appropriately retrofitted over multiple historic periods);

“conservation (or conserve/conserved/conserving)” refers to all actions or processes that are aimed at safeguarding the character defining elements of a cultural resource so as to retain its heritage value and extend its physical life. This may involve “Preservation,” “Rehabilitation,” “Restoration,” or a combination of these actions or processes (as defined in the Second Edition of the “Standards and Guidelines for the Conservation of Historic Places in Canada”);

“contributing windows” refer to original *windows* or replacement *windows* that are historically and architecturally sympathetic and contribute to the fundamental cultural value of the building and the property. *Contributing windows* are tangible examples of the craftsmanship of the era in which they were made. Generally, these are *windows* that existed at the time of construction and/or use period construction materials, such as wood, metal and glass, and techniques. A building may no longer have its original *windows*, or the *window(s)* may not have all their original components, but instead have older architecturally appropriate *windows* or have

complementary components that relate to that time. Original and suitable replacement *windows* (and their components/openings) that contribute to the heritage value of the property are considered *contributing windows* that merit retention and protection;

“incompatible windows” refer to *windows* that are not architecturally sympathetic and detract from the heritage value of the subject building and property.

Incompatible windows are usually *windows* that: appear to be of low quality; use an inappropriate material/design; are the incorrect size for the opening; are installed in an opening that has been significantly altered; are the incorrect *window* type for the opening; and may have an inappropriate colour/finish. Frequently, these *windows* are commercially available or are “off the shelf” models and are not chosen to suit the subject building and property. As *windows* are a significant component of the visual appreciation of the building and property, the installation of an *incompatible window* can negatively affect the appreciation of the building’s and the property’s cultural heritage attributes;

“protected heritage property” is real property, designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; a National Historic Site; or a property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, *conserving* and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss;

“qualified professional” includes those who are recognized in several practice areas as authorized persons or who have the necessary experience to perform specific related works. For works on heritage buildings it is recommended that these professionals be a member of the Canadian Association of Heritage Professionals (CAHP). To evaluate the condition of *windows*, the *qualified professional* will have experience/training on heritage buildings or older building styles and have an expertise in architecture, carpentry, joinery, glazing, and/or window fitting. *Qualified professionals* should be prepared to provide their curriculum vitae with associated project examples when providing their professional opinion; and

“window” includes any *window* on any storey, or portion of a storey, including transom *windows*, side lights, clerestory *windows*, attic and dormer *windows*, and refers to not only the glass (stained/tinted or otherwise), glazing pattern, frame and sash but also includes, but is not limited to, the *window* openings and its existing proportions, (sills, lintels and shutters), all mouldings, casings, muntin bars, joinery, decorative features, shutters, rail, storm *windows* (where required), all hardware, and other components. This definition also includes *windows* associated/embedded within or used as doors. Storm windows and screens are

considered separately from typical *windows* unless they contribute to the fundamental cultural value of the building and the property.

- 1.2 In this policy, “include”, “includes” and “including” indicate that the subsequent list is not exhaustive.
- 1.3 A reference to any legislation, regulation, by-law, rule, policy or provision thereof includes a reference to any legislation, regulation, by-law, rule or provision thereof enacted in substitution thereof or amendment thereof.
- 1.4 A reference to legislation includes all of the regulations made thereunder.
- 1.5 A reference to the position or title of any *City employee* includes a reference to any position or title created in substitution thereof.

2.0 Purpose

- 2.1 The purpose of this policy is to support the preservation of *contributing windows*:
 - (a) Owners of *protected heritage properties* may be required to *conserve* or alter *contributing windows* during their stewardship of the property. The following policies and guidelines are intended to provide clarity on the property owner’s responsibility to the *Ontario Heritage Act* regarding the *conservation* of *contributing windows* on *protected heritage properties*.
 - (b) *Contributing windows* are *windows* that existed at the time of construction and/or contribute to the fundamental cultural heritage value of the property. A heritage permit is required prior to undertaking works that are likely to affect the heritage attributes, such as *contributing windows*, of a *protected heritage property*.
- 2.2 How to read and use this document:
 - (a) This document outlines the policies enacted by the City of Kingston to ensure *contributing windows* are *conserved*. Where replacement is required, the policies provide direction on appropriate change. Guidelines are also included to clarify the City of Kingston’s expectations regarding the preservation of a *protected heritage property’s* cultural heritage value and to detail best practice related to *windows*.
 - (b) The Interpretation section, located at the top of this document, includes definitions of italicized terms that appear throughout this document. These terms must be read in conjunction with this document.
 - (c) Requirements for a heritage permit application to be deemed complete are also outlined in the Administrative section below for ease of submission.

This policy is to be followed when preparing heritage permit application submissions as detailed in Parts IV, V, VII & VII of the By-Law Number 2023-38 "Procedural By-Law for Heritage" as well as when submitting heritage grant applications as detailed in section 5.2 in By-Law 2018-26 "Being a By-Law to Establish a Heritage Grant Program." Please note this is not an exhaustive list and may be amended based on changes to existing or proposed legislation.

- (d) The Qualified Professional Window Assessment Checklist is located in the Appendix, at the end of this document, and must be completed and submitted when a window assessment is required.
- (e) As of the date of approval of this policy (XYZ, 2024) it replaces the "Policy on Window Renovations in Heritage Buildings" and all related references in City policy documents.

3.0 Policies

3.1 *Contributing windows* will be *conserved*:

- (a) Where a *contributing window* is present on a *protected heritage property*, the City of Kingston requires *conservation* of the *contributing window(s)*.
- (b) Repairing a *contributing window*, in accordance with this policy, is always desirable over replacement.
- (c) Replacement of a *contributing window* will only be supported if the existing *window* is deteriorated to the extent that repair would leave little original material remaining, as determined by a *qualified professional* through a window assessment.
- (d) Where a *contributing window* is considered a rare, unique, representative or early example of a style, type, expression, material or construction method it will require repair regardless of its condition.
- (e) Permanently covering existing *window* elements with cladding is not permitted.
- (f) The location of a *contributing window* on a *protected heritage property* does not reduce its inherent value or level of protection.

3.2 Where *contributing windows* require *conservation*, the following policies apply:

- (a) All *window* elements that can be repaired shall be retained and restored to the greatest extent possible.

- (b) The design of all replacement components should, as closely as possible, replicate the *window*, as supported by evidence, so that character defining features and details are *conserved*.

3.3 Where *contributing window* repair is not feasible, replacement may be permitted under the following conditions:

- (a) A replacement *window* should, in most circumstances, replicate the existing *contributing window* as closely as possible, and/or be a historically appropriate design to the age, cultural heritage value and architectural style of the building.
- (b) A replacement *window* should, in most circumstances, be made to fit into historic openings without altering the size or shape of the opening or infilling the opening to fit the *window*.

3.4 The condition of *contributing windows* must be assessed by a *qualified professional*:

- (a) When replacement is being considered, the condition of a *contributing window(s)* and the potential for repair must be assessed by a *qualified professional* to determine the appropriate scope of work.
 - (i) The assessment must assess each *contributing window* separately.
 - (ii) The assessment must focus solely on the condition and repairability of the *contributing window(s)* while considering the heritage value of the property.
 - (iii) The assessment must include the completed "Qualified Professional Window Assessment Checklist", located in the Appendix of this policy document, as the cover page.
- (b) The repair of *contributing windows* does not require an assessment by a *qualified professional*:
 - (i) Due to the material, design and/or age of *contributing windows* it is highly recommended that *window conservation* be undertaken by a *qualified professional*.
 - (ii) *Conservation* activities that result in permanent alteration are subject to this policy and will require a heritage permit.

4.0 Guidelines

4.1 *Window* replacement - Where a *window* cannot be repaired and/or is an *incompatible window*:

- (a) Replacement of *incompatible windows*:
 - (i) Where an *incompatible window* exists on a *protected heritage property* and requires replacement, an *appropriately designed window* is highly recommended.
 - (ii) *Window* styles that historically had true divided lights, may be replaced with simulated divided lights provided that the muntin bars (grills) are affixed to the exterior of the glass and visually act as true divides.
- (b) Replacement of *appropriately designed windows*:
 - (i) The replacement of *appropriately designed windows* on a *protected heritage property* is discouraged as an insufficient replacement can have a negative impact on the cultural heritage value of the property.
 - (ii) It is expected that a suitable *window* replacement (in terms of design, material, colour and function) will replace an *appropriately designed window* to maintain the heritage value of the *protected heritage property*.
- (c) Appropriate materials and colours for replacement *windows*:
 - (i) Material:
 - 1. Decisions on *window* material should be based on historical research as well as the age and architectural style of the building.
 - (ii) Colour:
 - 1. *Window* colour should be based on historical research or be architecturally suitable to the property and/or relevant Heritage Conservation District.
 - 2. Colour extremes, like black or bright white, are discouraged unless related to the property's architectural style.
- (d) Deviations from traditional *window* designs:

- (i) The replacement of one style of *window* with another (e.g. sash to casement) is discouraged without appropriate rationale.

4.2 Interior alterations to *contributing windows*:

- (a) Where the legal property entry for the *protected heritage property* is silent on interior features, internal modifications to *windows* that do not cause permanent damage or alteration to the historic fabric of the *contributing window* are permitted without prior approval under the *Ontario Heritage Act*.

4.3 Storm windows and screens:

- (a) In most cases, storm windows are considered seasonal fixtures that will protect the underlying *window* as well as the *protected heritage property* generally.
 - (i) Where storm windows and/or screens are permanently secured over *windows* this is considered an alteration requiring a heritage permit.
 1. Permanent storm windows and screens should have an appropriate design and should not obscure the underlying *window*.
 - (ii) Seasonal storm windows and screens should have an appropriate design and display the underlying *window*.
- (b) If storm windows are noted as having heritage value in the legal property entry, then they are considered *contributing windows* and will be subject to this policy.

4.4 Historic shutters and hardware:

- (a) Permanent installation or removal of shutters requires a heritage permit.
- (b) Existing historic wooden shutters and hardware should be repaired where possible.
- (c) Undersized shutters, and shutters made from modern materials (aluminum, vinyl, etc.) should be replaced where possible.
- (d) Where replacement is sought, wooden shutters, with sourced historic hardware, are strongly encouraged.

- (i) Replacement shutters should be designed to resemble fully functional shutters that appropriately fit over the associated *window*.

4.5 Potential for *contributing window* consolidation to *conserve* heritage value:

- (a) Some *protected heritage properties* have *contributing windows* along multiple elevations or storeys that co-exist with non-*contributing windows*. This discrepancy in *window* design/material/age can potentially draw unnecessary attention.
- (b) In limited circumstances (in consultation with a *qualified professional*) where some *contributing windows* along certain elevations or storeys require replacement while others can be repaired, the consolidation of all (or most) *contributing windows* along the most prominent elevation or storey can be considered.
 - (i) This consolidation strategy must result in the *conservation* of the *protected heritage property*.

5.0 Administration

5.1 How to apply for a heritage permit:

- (a) Most alterations to *windows* on a *protected heritage property*, including significant repairs or replacements, require prior approval under the *Ontario Heritage Act*. All such approvals (heritage permits) are submitted and processed through the City's online application system - DASH.
- (b) The requirements for a complete heritage permit application are governed by the [Ontario Heritage Act](#) and the [City of Kingston's Procedural By-law for Heritage \(2023-38\)](#) as amended from time to time. These documents should be referenced for a complete list of application requirements, which could include a written statement/assessment, drawings/plans of the proposed works and associated photographs.

5.2 For heritage permit applications regarding *windows*:

- (a) The submission must include an elevation drawing and/or picture(s) denoting which *window(s)* corresponds with the application, and an applicable assessment for the *contributing window(s)*, if required in this Window Policy.
- (b) The submission must clearly identify the historic opening(s) in which each replacement *window* will be installed and must identify each new *window's*: material(s), size, light configuration/pattern, mullion/muntin bar locations,

size and profile, glazing information, and colour prior to being deemed complete.

6.0 Application

6.1 This policy applies to all *protected heritage properties*.

7.0 Approval Authority

Role	Position	Date Approved
Quality Review	Phillip Prell, Intermediate Planner	12-8-23
Subject Matter Expert	Phillip Prell, Intermediate Planner	12-8-23
Legal Review	Alan McLeod, Deputy Director	12-19-23
Management Review	Kevin Gibbs, Acting Director	12-6-23
Final Approval	

8.0 Revision History

Effective Date	Revision	Description of Change
Date of the change		describe the sections that have been changed, added or deleted

9.0 Appendix

9.1 Qualified Professional Window Assessment Checklist.

Qualified Professional Window Assessment Checklist:

Connection to Policy & Guideline Document:

The City's Window Policy sets standards regarding the *conservation* of *contributing windows* on *protected heritage properties*. The City's Window Policy defines who is considered a *qualified professional* and assessment expectations. The City's Window Policy Guideline section details what heritage staff hope to receive when assessing *Ontario Heritage Act* applications for *windows* as well as general best practices. This checklist details City expectations for *qualified professionals* for submitted *window* assessments. This document must be read in conjunction with Interpretation section of the Window Policy.

Checklist:

Only those considerations that may impact the cultural heritage value of the *protected heritage property* will be considered. The checklist should be consulted when generating your professional opinion. Most elements, if not all, will need to be noted/described in the submitted *window* assessment. This completed checklist must be provided as a cover letter to the *qualified professional's* assessment to be considered a complete submission.

The submitted *window* assessment includes the following elements: (Please check all circles that pertain to your supplied professional opinion)

- Confirmation of *qualified professional* status as defined in the Window Policy
- Included a curriculum vitae to meet the definition of a *qualified professional*
- Confirmation of *contributing window* status for each *window*
- Confirmation that each *window* was assessed separately
- An interior review (specify for each *window* assessed)
- An exterior review (specify for each *window* assessed)
- A recent picture(s) showing the existing condition of each assessed *window*
- An estimated percentage of healthy repairable material for each *window*
- A short description, per *window*, noting its strengths/faults and conservation strategy
- An overall recommendation to repair or replace per *window*
- When necessary, a general style/form/type recommendation for each proposed replacement *window*, in alignment with the Window Policy
- Where applicable, a *window* consolidation strategy for *contributing windows* and justification (prior discussion with staff is necessary before proposing this strategy)

Permit Reporting to Committee

File Number	Stream Type	Status	Property Address	Scope of Work	Planner
P18-098-2023	Stream 1	Permit Issued	141 King Street East	Large Scale Maintenance	PP