



## **City Council Meeting 06-2024**

Tuesday, February 6, 2024 at 6:00 pm  
in the Council Chamber at City Hall.

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

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(Council Chamber)

**Call Meeting to Order**

**Roll Call**

**The Committee of the Whole “Closed Meeting”**

1. **That** Council resolve itself into the Committee of the Whole “Closed Meeting” to consider the following items:
  - a. Labour relations or employee negotiations – International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, (IATSE), Local 471 – Collective Bargaining;
  - b. Personal matters about an identifiable individual, including municipal or local board employees and, education or training pursuant to Section 239(3.1) the Municipal Act – Human Resources & Organization Development; and
  - c. Personal matters about an identifiable individual, including municipal or local board employees – Organization Staffing Update.

**Approval of Addeds**

**Disclosure of Potential Pecuniary Interest**

**Presentations**

**Delegations**

1. Joseph Dowser, Chair, Kingston & Area Taxi Licensing Commission, will appear before Council to speak to Clause 3 of Report Number 20: Received from the Chief Administrative Officer (Recommend) with respect to Update – Kingston & Area Taxi Licensing Commission and Accessible Taxi Program.
2. Ashley Perna will appear before Council to speak to Clause 2 of Report Number 20: Received from the Chief Administrative Officer (Recommend) with respect to Limestone City Co-Operative Housing Ltd. – City Owned Property Commitment.

**Briefings**

**Petitions**

1. A petition bearing approximately 746 signatures with respect to reducing community wide and City of Kingston corporate greenhouse gas emissions by at least 50% by 2030 was submitted to the Clerk's Department on January 23, 2024.

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

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

**Deferred Motions**

## Reports

### **Report Number 19: Received from the Chief Administrative Officer (Consent)**

Report Number 19

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

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

**That** Council consent to the approval of the following routine items:

#### **1. Naming Rights for Ice Pads in Centre 70 and Cataraqui Community Centre**

**That** Council endorse the naming rights agreement for the ice pad at Centre 70 with UFit, to be formally known as the UFit Ice Rink, from March 1, 2024 until March 1, 2028; and

**That** Council endorse the naming rights agreement for the Cataraqui Ice Pad at the Cataraqui Community Centre with Mike Lee Desjardins Insurance, to be formally known as the Mike Lee Insurance Ice Rink, from March 1, 2024 until March 1, 2028; and

**That** the Mayor and Clerk be authorized to execute agreements with UFit, and Mike Lee Desjardins Insurance, in a form satisfactory to the Director of Legal Services.

(The Report of the Director, Office of Strategy, Innovation & Partnerships (24-062) is attached to the agenda as schedule pages 1-6)

**2. All-Way Stop Review**

**That** By-Law Number 2003-209, "A By-Law to Regulate Traffic", as amended, be further amended in accordance with Exhibit A to Report Number 24-056.

**(See By-Law Number (1), 2024-137 attached to the agenda as schedule pages 15-17)**

(The Report of the Commissioner, Infrastructure, Transportation & Emergency Services (24-056) is attached to the agenda as schedule pages 7-19)

**Report Number 20: Received from the Chief Administrative Officer (Recommend)**

Report Number 20

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

**1. Notices of Objection to Proposed Heritage Designations**

**That** Council acknowledge receipt of the Notice of Objection from Julia McArthur and Justin Connidis dated November 8, 2023, to the proposed designation of the property located at 35 Johnson Street, known as the Anchor House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), decide not to withdraw the Notice to Intention to Designate the property; and

**That** Council give all three readings to the amended Designation By-Law for 35 Johnson Street, attached as Exhibit C to Report Number 24-054 and direct the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act; and

**That** Council acknowledge receipt of the Notice of Objection from Ian Edginton dated November 14, 2023, to the proposed designation of the property located at 160 Belmont Avenue, known as the Everitt-Miller House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), decide not to withdraw the Notice to Intention to Designate the property; and

**That** Council give all three readings to the Designation By-Law for 160 Belmont Avenue, attached as Exhibit D to Report Number 24-054 and direct the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act.

**(See By-Law Number (2), 2024-138 attached to the agenda as schedule pages 31-34)**

**(See By-Law Number (3), 2024-139 attached to the agenda as schedule pages 35-38)**

(The Report of the Commissioner, Community Services (24-054) is attached to the agenda as schedule pages 20-40)

**2. Limestone City Co-Operative Housing Ltd. – City Owned Property Commitment**

**That** Council commit the City-owned property located at 900 Division Street for a one-year period to allow the Limestone City Co-operative Housing Ltd. to develop architectural designs as well as a financing plan for a residential development; and

**That** Council direct staff to work with Brauer Homes to develop a modular home partnership over the next 6 months, that will include affordable ownership, to be built on the City-owned property located at 367 Gore Road; and

**That** Council direct staff to report back with an update on both the 900 Division Street and 367 Gore Road projects within the prescribed timeframes.

(The Report of the Chief Administrative Officer (24-074) is attached to the agenda as schedule pages 41-46)

**3. Update – Kingston & Area Taxi Licensing Commission and Accessible Taxi Program**

**That** Council approve a two-year extension of the Service Level Agreement with Kingston & Area Taxi Licensing Commission for the administration and enforcement of By-Law Number 2022-06, A By-Law to Regulate and License Transportation Network Companies in the City of Kingston; and

**That** Council direct staff to amend the Service Level Agreement with Kingston & Area Taxi Licensing Commission to ensure that a portion of the revenues generated through By-Law Number 2022-06, A By-Law to Regulate and License Transportation Network Companies in the City of Kingston, is redirected to implement an accessible taxi program; and

**That** Council authorize the Mayor and Clerk to enter into an amended Service Level Agreement with Kingston & Area Taxi Licensing Commission and sign all relevant documents or agreements with the Kingston & Area Taxi Licensing Commission to facilitate the extension of the existing Service Level Agreement and implement an accessible taxi program; and



**That** Council direct staff to report back on a yearly basis on the outcome of the accessible taxi program.

(The Report of the Chief Administrative Officer (24-067) is attached to the agenda as schedule pages 47-79)

**Report Number 21: Received from Kingston Heritage Properties Committee**

Report Number 21

To the Mayor and Members of Council:

Kingston Heritage Properties Committee reports and recommends as follows:

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

**1. Amendment to Designation under the Ontario Heritage Act – 662 King Street West and 13, 15 & 17 Grange Street**

**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.

(Exhibits C & D to Report Number HP-24-003 are attached to the agenda as schedule pages 80-84)

**2. Notice of Intention to Designate under the Ontario Heritage Act**

**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.

(Exhibits A – K to Report Number HP-24-007 are attached to the agenda as schedule pages 85-136)

**3. Applications Supported for Approval by Kingston Heritage Properties Committee (Non-Statutory Consultation)**

**i. Application for Ontario Heritage Act Approval – 53 William Street**

**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 0.88m<sup>2</sup>;
  - 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.

(Report Number HP-24-008 is attached to the agenda as schedule pages 137-172)

**Report Number 22: Received from Administrative Policies Committee**

Report Number 22

To the Mayor and Members of Council:

Administrative Policies Committee reports and recommends as follows:

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

**Note:** [Report Number AP-24-003](#) was presented to the Administrative Policies Committee with three options for consideration. Option 2 was considered and lost on a tie vote. Option 1 was considered and is recommended for approval to Council, with the noted amendment in bold below.

**1. Residential Rental Licensing, as Amended by Administrative Policies Committee on January 24, 2024**

**That** staff be directed to undertake revisions of the City's already existing By-Laws and processes to promote the health and safety of tenants; and

**That** staff be directed to create a Residential Rental Registry system for properties with 1-4 residential rental units; and

**That** staff provide a report to Council in Q3 2024 with the details of this plan, including required resources and associated timelines; and

**That landlords be required to complete a property standards & safety self-certification checklist, and an emergency information package.**



**Report Number 23: Received from Municipal Accessibility Advisory Committee**

Report Number 23

To the Mayor and Members of Council:

Municipal Accessibility Advisory Committee reports and recommends as follows:

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

**1. Accessible Consultation Process Policy**

**That** the Accessible Consultation Process Policy, attached as Exhibit A to Report Number MAAC-24-001, be approved.

(Exhibit A to Report Number MAAC-24-001 is attached to the agenda as schedule pages 173-185)

**2. 2024 Municipal Accessibility Advisory Committee Work Plan**

**That** Council approve the 2024 Municipal Accessibility Advisory Committee Work Plan, attached as Exhibit A to Report Number MAAC-24-002.

(Exhibit A to Report Number MAAC-24-002 is attached to the agenda as schedule pages 186-187)

## Committee of the Whole

### Information Reports

**1. Report on Real Estate Transactions Completed from July 1, 2023 to December 31, 2023 Under By-Law Number 2016-189**

The purpose of this report is to provide Council with a list of real estate transactions completed under delegated authority from July 1 to December 31, 2023.

(The Report of the Commissioner, Growth & Development Services (24-066) is attached to the agenda as schedule pages 188-192)

### Information Reports from Members of Council

#### Miscellaneous Business

Miscellaneous Business Items are voted on as one motion.

**1. Moved by Councillor Tozzo**

Seconded by Councillor Cinanni

**That** the resignation of Janice Wilby from the Municipal Accessibility Advisory Committee be received with regret.

**(See Communication Number 06-130)**

**2. Moved by Councillor Boehme**

Seconded by Councillor Ridge

**That** as requested by Latré Lawson, Réseau de soutien à l'immigration francophone de l'Est de l'Ontario, City Council proclaim the month of February 2024 to be "Mois de l'Histoire des Noirs 2024" in the City of Kingston.

**(See Communication 06-134)**

**New Motions**

**Notices of Motion**

**Minutes**

**That** the Minutes of Special City Council Meeting Number 04-2024, held Monday, January 15, 2024 and Tuesday, January 16, 2024, and City Council Meeting Number 05-2024, held Tuesday, January 23, 2024 be confirmed.

(Distributed to all Members of Council on February 2, 2024)

**Tabling of Documents**

2024-10 Kingston & Frontenac Housing Corporation Agenda 01-2024. The meeting is scheduled for January 29, 2024 at 12:30 pm in the KFHC Boardroom.

(Distributed to all members of Council on January 24, 2024)

2024-11 Cataraqui Conservation Full Authority Board Meeting Agenda – AGM. The meeting is scheduled for January 31, 2024 at 6:45 pm in a hybrid format.

(Distributed to all members of Council on January 26, 2024)

**Communications**

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

**Filed**

06-118 Notice of Technical Consent with respect to Consent to Sever New Lot at 36 Durham Street. Written comments must be received by Friday, February 2, 2024.

(Distributed to all members of Council on January 19, 2024)

**Referred to All Members of Council**

06-114 Resolution received from the Town of Mono with respect to Road Safety Emergency, dated January 15, 2024.

(Distributed to all members of Council on January 17, 2024)

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06-116 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated January 18, 2024.

(Distributed to all members of Council on January 18, 2024)

06-119 News Release received from Cataraqui Conservation with respect to Watershed Conditions Statement – Water Safety for Unsafe Ice, dated January 18, 2024.

(Distributed to all members of Council on January 19, 2024)

06-120 Correspondence received from Cataraqui Conservation with respect to Public Open House regarding flood hazard mapping, taking place Wednesday, February 7, 2024 from 4:00 pm to 7:00 pm at the Little Cataraqui Creek Conservation Area Outdoor Centre.

(Distributed to all members of Council on January 19, 2024)

06-121 Resolution received from The Corporation of the City of Sarnia with respect to Carbon Tax, dated January 19, 2024.

(Distributed to all members of Council on January 19, 2024)

06-122 Correspondence received from Natalie Larin with respect to parking issues, dated January 19, 2024.

(Distributed to all members of Council on January 22, 2024)

06-124 Correspondence received from Penny Leclair requesting June 2024 be proclaimed “Deaf Blind Awareness Month” in the City of Kingston, dated January 22, 2024.

(Distributed to all members of Council on January 22, 2024)

06-125 Resolution received from The Corporation of the County of Prince Edward with respect to expanding the life span of fire apparatus, dated January 22, 2024.

(Distributed to all members of Council on January 23, 2024)

06-127 Correspondence received from Federation of Canadian Municipalities with respect to FCM Voice: AC2024 registration date, Municipal Trailblazers, Upcoming webinars, and more, dated January 22, 2024.

(Distributed to all members of Council on January 24, 2024)

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06-128 Correspondence received from Association of Municipalities Ontario with respect to AMO WatchFile, dated January 25, 2024.

(Distributed to all members of Council on January 25, 2024)

06-129 Correspondence received from Rural Ontario Municipal Association with respect to “ROMA fills the Gaps Closer to Home New Release and Backgrounder”, dated January 25, 2024.

(Distributed to all members of Council on January 25, 2024)

06-130 Correspondence received from Janice Wilby with respect to resignation from Municipal Accessibility Advisory Committee, dated January 25, 2024.

(Distributed to all members of Council on January 25, 2024)

06-131 Correspondence received from Association of Municipalities Ontario with respect to AMO Policy Update - 2024 Pre-Budget Submission, dated January 25, 2024.

(Distributed to all members of Council on January 25, 2024)

06-132 News Release received from Cataraqui Conservation with respect to Cataraqui Conservation to Host Hazard Mapping Public Information Sessions, dated January 25, 2024.

(Distributed to all members of Council on January 25, 2024)

06-133 Resolution received from the Town of Orangeville with respect to Social and Economic Prosperity Review, dated January 26, 2024.

(Distributed to all members of Council on January 26, 2024)

06-134 Proclamation Application received from Latré Lawson, Réseau de soutien à l’immigration francophone de l’Est de l’Ontario, requesting Council proclaim February 2024 as “Mois de l’Histoire des Noirs 2024” in the City of Kingston.

(Distributed to all members of Council on January 30, 2024)

## Other Business

### By-Laws

- a) **That** By-Laws (1) through (5) be given their first and second reading.
- b) **That** By-Laws (2) through (5) be given their third reading.

- 1) A By-Law to Amend City of Kingston By-Law Number 2003-209, A By-Law to Regulate Traffic

First and Second Readings  
**(Clause 2, Report Number 19)**

Proposed Number 2024-137

- 2) A By-Law to Designate the Anchor House at 35 Johnson Street to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act

Three Readings  
**(Clause 1, Report Number 20)**

Proposed Number 2024-138

- 3) A By-Law to Designate 160 Belmont Avenue to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act

Three Readings  
**(Clause 1, Report Number 20)**

Proposed Number 2024-139

- 4) A By-Law to provide for the assumption of the public highways in West Village Phase 1 Subdivision, Registered Plan 13M-120, in the City of Kingston, in accordance with section 31(4) of the Municipal Act, Chapter 25, S.O. 2001; and to provide acceptance by the City of Kingston, of the associated public works within

Three Readings  
**(Delegated Authority)**

Proposed Number 2024-140

**(See schedule pages 193-194)**

- 5) A By-Law to confirm the proceedings of Council at its meeting held on Tuesday, February 6, 2024

Three Readings  
**(City Council Meeting Number 06-2024)**

Proposed Number 2024-141

**Adjournment**



**City of Kingston  
Report to Council  
Report Number 24-062**

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**To:** Mayor and Members of Council  
**From:** Craig Desjardins, Director, Office of Strategy, Innovation & Partnerships  
**Resource Staff:** Julie Fossitt, Manager, Marketing & Revenue Development  
**Date of Meeting:** February 6, 2024  
**Subject:** Naming Rights for Ice Pads in Centre 70 and Cataraqui Community Centre

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**Council Strategic Plan Alignment:**

Theme: 5. Drive Inclusive Economic Growth

Goal: 5.7 Foster culture, history, education, arts and recreation (CHEAR).

**Executive Summary:**

The purpose of this report is to request Council's approval of the assigning of naming rights to two areas of two recreation facilities in accordance with the City of Kingston Corporate Sponsorship Policy and to direct the execution of agreements related to that approval.

As part of the goal to advocate for funding and increased investments, naming rights for locations within existing recreation facilities have been explored in order to provide a non-tax-based revenue source for ongoing programming and operational costs related to the delivery of recreation and leisure activities.

All sponsorship and naming rights opportunities are listed on the City of Kingston website and staff follow up on any inquiries from businesses or individuals who are interested in pursuing a partnership with the City of Kingston.

Centre 70 is a multi-use recreation facility located in the west end of Kingston and features an ice pad that is used for skating March through October and dry floor activities in the spring and



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summer. It is being recommended that UFit become the naming rights partner for the indoor rink, to be known as the UFit Ice Rink, at a cost of \$5,000 per year for a 5-year period.

Cataraqui Community Centre is recreation facility in the northwest of Kingston and features two ice pads, several community rooms and the adjacent Cloverdale diamonds.

There are two ice pads within the Cataraqui Community Centre. The ice pad known as the Kinsmen Ice Pad is not being recommended to change. A second ice pad, currently known as the Cataraqui Ice Pad, is being recommended to be named the Mike Lee Insurance Ice Pad, for the duration of the agreement, at a cost of \$5,000 per year for a 5-year period. This report recommends the approval of the naming rights for the single ice pad only and no other parts of the Cataraqui Community Centre.

As per the City of Kingston Corporate Sponsorship Policy, all sponsorship agreements that involve naming rights must be approved by Council.

**Recommendation:**

**That** Council endorse the naming rights agreement for the ice pad at Centre 70 with UFit, to be formally known as the UFit Ice Rink, from March 1, 2024 until March 1, 2028 and;

**That** Council endorse the naming rights agreement for the Cataraqui Ice Pad at the Cataraqui Community Centre with Mike Lee Desjardins Insurance, to be formally known as the Mike Lee Insurance Ice Rink, from March 1, 2024 until March 1, 2028 and;

**That** the Mayor and Clerk be authorized to execute agreements with UFit, and Mike Lee Desjardins Insurance, in a form satisfactory to the Director of Legal Services.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY DIRECTOR

**Craig Desjardins, Director, Office  
of Strategy, Innovation &  
Partnerships**

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
Jennifer Campbell, Commissioner, Community Services	
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

February 6, 2024

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**Options/Discussion:****Background**

In accordance with the City of Kingston Corporate Sponsorship Policy and the City of Kingston Naming of Corporate Assets Policy, and part of the ongoing prospecting process for finding sponsorships, a transparent and open process was followed with respect to the naming rights recommended for approval in this report.

Upon consultation with Procurement staff, it was recommended to list all proposed sponsorship opportunities on the City of Kingston Sponsorship and Advertising pages of the website. Contact information for City staff is listed on these webpages, and all sponsorship queries that are received through other channels are directed to the Marketing and Revenue Development team.

Mike Lee Insurance is an existing naming rights partner of the Kingston East Community Centre Community Garden, and a representative from the business reviewed the existing opportunities on the City of Kingston website that listed one ice pad at both Centre 70 and Cataraqui Community Centre as available for naming rights consideration.

UFit Kingston High Performance Centre is a business based in the west end of Kingston that offers fitness classes, athletic conditioning and personal training. A representative from the business contacted staff after reviewing the existing naming rights opportunities on the City of Kingston website, as they thought this would be an opportunity for brand awareness of their business.

**Proposed Draft Agreement with Mike Lee Insurance**

The Cataraqui Community Centre has two indoor ice rinks; one is an NHL-sized pad with ice in place from July to April and with a dry floor from May to the end of June. The other, is the Kinsmen Ice Pad which is an Olympic sized pad with ice from September to March and a dry floor from April to the end of August. The Centre also has four community rooms, four Cloverdale ball diamonds, an outdoor play structure and two Level 2 EV charging stations.

There has not been a naming rights partner for the Cataraqui Ice Pad in the past, so this is an opportunity to having an existing City of Kingston naming rights partner increase their brand awareness in the west end of the City and for the City to realize some new revenue to support recreation and leisure programming.

The benefits for Mike Lee Insurance include:

- i. Logo placement at entry doors to named ice pad
- ii. Logo placement at Clock/Scoreboard within named ice pad
- iii. In-ice logo at named ice pad, between the blue lines (starting in 2024)
- iv. One directional sign in the facility
- v. On ice permits, all rentals of the named ice pad
- vi. Rink Board ad, premium placement at Centre 70

February 6, 2024

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- vii. Corporate name and/or logo in City publications, ice-pad relevant
- viii. Facility rental credits of \$1,000 annually that can be used at any Recreation & Leisure facility across the city

**Proposed Draft Agreement with UFit**

Centre 70 features a significant amount of amenities including a park and ride, CommUnity cafe and an ice pad that is open for skating October through March and transforms into a dry floor facility in the spring and summer months. In 2022, Centre 70 was booked for more than 1300 hours and welcomes more than people 93,000 to the site each year.

There hasn't been an ice pad sponsor at this location before, and it was identified by City staff to be an opportunity for increased revenue and a partnership opportunity for a local business. The additional funds from naming rights will support ongoing operational and programming expenses of the facility and offer UFit year-round brand exposure.

The benefits for UFit include:

- ii. Logo placement entry doors to named ice pad
- iii. Logo placement at clock/scoreboard within named ice pad
- iii. In-ice logo at named ice pad, between the blue lines (starting in 2024)
- iv. One directional sign in the facility
- v. On ice permits, all rentals of the named ice pad
- vi. Two rink board ads located at the INVISTA Centre
- vii. Corporate name and/or logo in City publications, ice-pad relevant
- viii. Facility rental credits of \$1,000 annually that can be used at any Recreation & Leisure facility across the city

**Existing Policy/By-Law**

Naming of Corporate Assets Policy

Corporate Sponsorship Policy

**Financial Considerations**

The naming rights agreements for both UFit and Mike Lee Insurance include a payment schedule of \$5,000 per annum for a 5-year term, for a total sum of \$25,000 for each sponsor. The cost of signage and logos will be the responsibility of the respective sponsors.

**Contacts:**

Julie Fossitt, Manager, Marketing & Revenue Development, 613-546-4291 extension 1143

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**Other City of Kingston Staff Consulted:**

Amy Elgersma, Manager, Recreation Facilities, Recreation & Leisure Services

**Exhibits Attached:**

None



**City of Kingston  
Report to Council  
Report Number 24-056**

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**To:** Mayor and Members of Council  
**From:** Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services  
**Resource Staff:** Ian Semple, Director, Transportation & Transit  
**Date of Meeting:** February 6, 2024  
**Subject:** All-Way Stop Review

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**Council Strategic Plan Alignment:**

Theme: 3. Build an Active and Connected Community

Goal: 3.4 Improve road construction, performance, and safety.

**Executive Summary:**

This report provides an analysis of requests received for All-Way Stop Control (AWSC) implementation at 33 intersections across the city since the beginning of 2023. Following guidance from the Transportation Association of Canada (TAC) and the Ontario Traffic Manual (OTM) Book 5, the report recommends AWSC implementation at seven locations. The recommendations necessitate amendments to the City of Kingston [By-law Number 2003-209](#), "A By-law to Regulate Traffic".

AWSC can be used as a safety enhancement to mitigate collision risks at intersections and aligns with the City's Vision Zero Road Safety Plan. However, there are also risks associated with implementing AWSC where they are not warranted, underscoring the need for careful consideration. Three warrants outlined in OTM Book 5 guide AWSC implementation: the Minimum Volume Warrant, Collision Warrant, and Visibility Warrant. Each intersection underwent a thorough assessment against these warrants.

The report details the criteria for each warrant and provides specific recommendations for AWSC implementation at five locations based on satisfying the volume warrants. Two additional locations are recommended for AWSC based on staff review.

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The seven locations recommended for implementation are as follows:

- Development Drive at Truedell Road
- Lancaster Drive at Bridle Path Crescent/Strand Boulevard
- Bagot Street at William Street
- Gore Road at Rose Abbey Drive
- Conacher Drive at Wilson Street
- Dolshire Street at Malabar Drive
- William Street at Aberdeen Street

The remaining 26 locations are not recommended for AWSC implementation based on provincial guidelines and the assessment completed by staff but will be reviewed as part of other related transportation programs or infrastructure, including planned pedestrian crossing upgrades, the traffic calming program, or other available or planned road safety initiatives.

**Recommendation:**

**That** By-law Number 2003-209, "A By-law to Regulate Traffic", as amended, be further amended in accordance with Exhibit A to Report Number 24-056.

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

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**Brad Joyce, Commissioner,  
Infrastructure, Transportation &  
Emergency Services**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

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**Lanie Hurdle, Chief  
Administrative Officer**

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

Paige Agnew, Commissioner, Growth & Development Services	Not required
Jennifer Campbell, Commissioner, Community 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
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required



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**Options/Discussion:**

All-Way Stop Control (AWSC), also known as a four or three-way stop, is a form of traffic control that requires vehicles to stop at all approaches to an intersection. The implementation of AWSC is informed by guidance provided by the Transportation Association of Canada (TAC) and the Ontario Traffic Manual (OTM) Book 5, which was recently updated in December 2021.

Since the beginning of 2023, staff received requests for the implementation of all-way stops at 33 unique intersections across the city, as listed in Exhibit B of this report. Staff have completed an assessment at all locations, including traffic counts, collision history reviews and, in some cases, site visits. This report is intended to summarize the results of these findings, including the recommendations of staff for AWSC implementation at seven locations. These recommendations require amendments to the City of Kingston By-law Number 2003-209 "A By-Law to Regulate Traffic", attached as Exhibit A.

**Background**

Stop signs are installed as a form of traffic control to assign and regulate right-of-way at intersections with the potential for conflict. In certain instances, AWSC implementation can improve safety for road users at intersections where they are warranted or otherwise recommended through engineering-based studies. AWSC can be an effective safety enhancement to help prevent the risk of collisions resulting in serious injuries or fatalities and, as such, is included as part of one of several countermeasures included in the City's [Vision Zero Road Safety Plan](#).

While road safety improvements can be realized through the implementation of AWSC, an equally important counteracting risk can arise when AWSC is implemented where it is not warranted. Generally, AWSC should only be considered at an intersection of two relatively equal roadways having similar and sufficient traffic volume and operating characteristics. There is a relatively high threshold for this, requiring balanced and frequent use of all approaches of the intersection to ensure that drivers who travel through the area do not 'roll' through the new stop control that is introduced along the major street.

Introducing AWSC at locations that do not meet the recommended criteria can lead to lower compliance and other driver behaviour-related issues, including an increased tendency for drivers along the main road to perform a rolling stop, particularly if there is not consistently sufficient volume originating from the intersecting roadway. Placing stop signs at locations where warrants have not been met may contribute to lower compliance levels at other stop-controlled locations in the city. This can lead to an increased risk for all road users, including vulnerable road users such as pedestrians and cyclists, by falsely setting the expectation of full-stop compliance by motorists.

Provincial guidance is also clear that stop signs are not to be used as a traffic-calming measure. Studies and experience from other jurisdictions indicate that drivers tend to quickly accelerate to reach normal operating speeds after being forced to stop at an unwarranted stop sign. AWSC usage should be limited to the control of right-of-way conflicts and should only be implemented

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where studies considering such factors as traffic volumes, restricted sight lines, and collision history indicate that this form of control is warranted.

Additionally, the Ontario Traffic Manual indicates that AWSC should not be used where the protection of pedestrians, particularly school children, is the primary concern. This concern is typically better addressed by other means of control, such as a controlled pedestrian crossing. AWSC should also not be used as a means of deterring the movement of traffic in a residential area, which is similarly better addressed through other tools such as traffic-calming measures.

### **All-Way Stop Control (AWSC) Warrant Process**

The Ontario Traffic Manual (OTM) and Transportation Association of Canada Geometric Design for Canadian Roads guide the use of all-way stop control by road authorities provincially and nationally, respectively. The warrants outlined in the OTM include a minimum volume warrant, a collision warrant, and a visibility warrant. The use of all-way stop control at any specific intersection is justified if any one of these three warrants is met. While operating speeds may be considered as part of the assessment for other treatments and traffic warranting processes, they are not part of the technical warrant criteria as prescribed by the manual.

The warrants as outlined in OTM Book 5 for local roads are as follows:

1. The All-Way Stop Minimum Volume Warrant established by OTM Book 5 establishes consistent criteria for municipalities in Ontario. For roadways designated as minor or local roadways, the following three criteria must all be met for the implementation of an all-way stop to be warranted:
  - a. The total vehicle volume on all intersection approaches exceeds 200 vehicles per hour for each of the highest four hours of the day; and,
  - b. The combined vehicle and pedestrian volume on the minor street exceeds 75 units per hour (all vehicles plus pedestrians wishing to enter the intersection) for each of the same four hours as the total volume; and,
  - c. The volume split does not exceed 70/30 (that is the minor street must not be less than 30% of the total volume entering the intersection) as measured over the entire four-hour count period. Volume on the major street is defined as vehicles only. Volume on the minor street includes all vehicles plus any pedestrians wishing to cross the major roadway. For three-legged intersections a volume split of 75/25 is permissible.
2. AWSC may be warranted for a location experiencing an unusually high number of right-angle or turning collisions. Specifically, an average of three collisions per year over a three-year period (i.e. nine collisions over three years).
3. Under some circumstances, sufficient sight distance is not available for traffic exiting the stop-controlled approaches of a two-way stop intersection, based on geometric design requirements. If all efforts to improve the sight distance have been exhausted and the

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sight distance cannot be brought up to the guidelines, conversion of the intersection to AWSC may be considered.

Warrants #1 and #2 were completed at each of the 33 requested locations. Warrant #3 was reviewed where applicable.

### **AWSC Analysis**

Based on the results of Warrant #1, the following locations are recommended for AWSC implementation:

- Development Drive at Truedell Road
- Lancaster Drive at Bridle Path Crescent/Strand Boulevard
- Bagot Street at William Street
- Gore Road at Rose Abbey Drive
- Conacher Drive at Wilson Street

All above locations meet and/or are within an acceptable margin of each of the criteria set out in OTM Book 5 and are supported by engineering judgment.

Based on the results of Warrant #3, which included a review of the sightlines and observations of the traffic movements, it is also recommended that AWSC be introduced at:

- Dolshire Street at Malabar Drive
- William Street at Aberdeen Street

The implementation of AWSC control at Dolshire Street at Malabar Drive is intended to address sightline concerns for turning vehicles and is supported by the turning movement patterns through the intersection.

Additionally, based on a review of the traffic counts conducted, it is recommended that stop control be introduced on William Street at Aberdeen Street. Currently, a significant volume of pedestrians is crossing William Street at both legs of the intersection. This contributes to a combined volume of vehicles approaching from Aberdeen Street and pedestrians crossing William Street that far outweighs the volume of vehicles approaching from William Street. In line with provincial guidance, these findings support the implementation of AWSC, at minimum in the interim, to better support the patterns through the intersection.

Staff are recommending that AWSC be implemented at the above seven locations based on the potential to improve road safety at each respective location for all road users.

### **Related Transportation Programs**

Staff note that a number of locations that were assessed for AWSC were also identified as part of [Report Number 22-167 – Planned Pedestrian Crossing Upgrades](#) as candidate pedestrian

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crossing locations, forming part of the preliminary list of 51 locations that are being considered as part of a broader city-wide program to upgrade pedestrian crossings, including:

- Helen Street at Mack Street
- Mowat Avenue at Forsythe Avenue
- Mona Drive at Woodside Drive
- Woodside Drive at Marsh Crescent
- Barrie Street at Union Street

Staff note that Barrie Street at Union Street was within an acceptable margin of AWSC Warrant #1, however, the location requires further study due to its geometric configuration as it relates to its intersection with Court Street being in close proximity.

The 51 candidate locations, including the five locations identified above, are not committed at this time but are being carried forward for consideration as part of future capital plans. They are distinct from the list of 31 locations that were committed to be upgraded to controlled pedestrian crossings as part of the Canada Infrastructure Program (ICIP) from 2023 to 2026.

AWSC control is one of several tools available to improve road safety. Other supportive programs of the City's road safety policies include community-based measures, annual selection, and capital work as part of the City's Traffic Calming program, Community Safety Zones and planned corresponding Automated Speed Enforcement, ongoing and planned neighbourhood speed limit reductions, new traffic signals, school crossing guards and school travel planning, and active-transportation focused capital work and road reconstruction at intersections and along corridors.

### **AWSC Implementation**

The implementation of AWSC involves the installation of signage, including "NEW" starburst signage in advance of the STOP sign when the AWSC is first introduced. Stop bars will also be implemented at each location in coordination with signage installations. AWSC installation may also involve additional capital work, such as concrete and curb construction to install crosswalks where appropriate. Staff will endeavour to construct crosswalks where sidewalk connections, ramps and/or bus pads are already in place, and where sufficient boulevard space is available free of utility and driveway conflicts. Each location will undergo a detailed site review to determine an implementation plan and any capital works required to enhance the location for pedestrian use.

### **Indigenization, Inclusion, Diversity, Equity & Accessibility (IIDEA) Considerations**

As part of the design process for AWSC locations that have been identified for implementation, the City will consider, where appropriate, improvements to civil infrastructure to ensure crosswalks are accessible and in line with the City's and provincial standards. This could include modifications to curbs and sidewalks, and the inclusion of tactile walking surface indicators.

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**Existing Policy/By-Law**

By-Law Number 2003-209, "A By-Law to Regulate Traffic"

**Financial Considerations**

The cost associated with the installation of required signage will be accommodated within the existing capital funds.

**Contacts:**

Matt Kussin, Manager, Transportation Policy & Programs 613-546-4291 extension 1333

Mark Dickson, Manager, Transportation Systems 613-546-4291 extension 3254

**Other City of Kingston Staff Consulted:**

Andrew Morton, Transit Service Project Manager, Transit Services

**Exhibits Attached:**

Exhibit A – Proposed Changes to By-Law Number 2003-209

Exhibit B – List of Intersections Assessed for All-Way Stop Control

# City of Kingston By-Law Number 2023–xxx

## ***By-Law to Amend City of Kingston By-Law Number 2003-209 A By-Law to Regulate Traffic***

### **Whereas:**

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

Subsection 5 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”) provides that the powers of a municipality must be exercised by its council.

Subsection 5 (3) of the *Municipal Act, 2001* provides that a municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise.

Pursuant to subsection 10 (1) of the *Municipal Act, 2001*, a single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public.

On July 29, 2003, council for the *City* enacted *City of Kingston By-Law Number 2003-209, “A By-Law to Regulate Traffic”*.

Council for the *City* considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2003-209*:

**Therefore, council enacts:**

### **1. Amendment**

1.1 *City of Kingston By-Law Number 2003-209* is amended as follows:

- (a) Schedule C-1, Through Highways, is hereby amended by removing the following therefrom:

Bagot Street from North of Earl Street to South of Ordnance Street

Conacher Drive - All

*By-Law to Amend By-Law 2003-209*

Development Drive - All

Dolshire Street from Arbour Crescent to Melrose Street

Gore Road from West Side of Donald Street/Grenadier Drive to North End of Road

Lancaster Drive from West Side of Milford Drive to Keenan Drive

William Street from University Avenue to West Side of Division Street

- (b) Schedule C-1, Through Highways, is hereby amended by adding the following thereto:

Conacher Drive from West End of Conacher Drive to West Side of Wilson Street

Conacher Drive from East Side of Wilson Street to South Side of Sutherland Drive (Eastern Intersection)

Development Drive from Gardiners Road to East Side of Truedell Road

Development Drive from West Side of Truedell Road to Lincoln Drive/Hudson Drive

Gore Road from East Side of Rose Abbey Drive to North End of Gore Road

Lancaster Drive from East Side of Keenan Drive to West Side of Bridle Path Crescent/Strand Boulevard

- (c) Schedule C-3, All-Way Stop Signs, is hereby amended by adding the following thereto:

Bagot Street at William Street

Conacher Drive at Wilson Street

Development Drive at Truedell Road

Dolshire Street at Malabar Drive

Gore Road at Rose Abbey Drive

*By-Law to Amend By-Law 2003-209*

Lancaster Drive at Bridle Path Crescent/Strand Boulevard

William Street at Aberdeen Street

**2. Coming into Force**

2.1 This by-law will come into force and take effect on the day it is passed.

1<sup>st</sup> Reading            date

2<sup>nd</sup> Reading            date

3<sup>rd</sup> Reading            date

Passed                date

Janet Jaynes  
City Clerk

Bryan Paterson  
Mayor



**Table 1 – List of Intersections Assessed for All-Way Stop Control**

<b>Number</b>	<b>Location</b>
1	Aylmer Crescent at Clark Crescent (north)
2	Aylmer Crescent at Clark Crescent (south)
3	Bagot Street at William Street
4	Barrie Street at Union Street
5	Carruthers Avenue at College Street
6	Carruthers Avenue at Helen Street
7	Conacher Drive at Sutherland Drive (west)
8	Conacher Drive at Wilson Street
9	Crerar Boulevard at Lakeshore Boulevard
10	Development Drive at Truedell Road
11	Dolshire Street at Arbour Crescent
12	Dolshire Street at Malabar Drive
13	Glengarry Road at Westmoreland Road
14	Gore Road at Rose Abbey Drive
15	Helen Street at Mack Street
16	Humberside Drive at Ryan Court
17	King Street at William Street
18	Lancaster Drive and Bridle Path/Strand Boulevard
19	Lincoln Drive at Forest Hill Drive
20	Lincoln Drive at Graceland Avenue
21	Malabar Drive at Fernmoor Drive

**Exhibit B to Report Number 24-056**

<b>Number</b>	<b>Location</b>
22	Malabar Drive at Teal Court
23	Mona Drive at Woodside Drive
24	Mowat Avenue at Forsythe Avenue
25	Old Colony Road at Somerset Crescent (South) / Braeside Crescent
26	Old Colony Road at Somerset Crescent (North)
27	Old Oak Road at Collegeview Road
28	Park Street at Toronto Street
29	Portsmouth Drive at Glengarry Road
30	Tanner Drive at Arbour Crescent / Farnham Court
31	William Street at Aberdeen Street
32	Wilson Street at MacCauley Street
33	Woodside Drive at Marsh Crescent (East)



**City of Kingston  
Report to Council  
Report Number 24-054**

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**To:** Mayor and Members of Council  
**From:** Jennifer Campbell, Commissioner, Community Services  
**Resource Staff:** Kevin Gibbs, Director, Heritage Services  
**Date of Meeting:** February 6, 2024  
**Subject:** Notices of Objection to Proposed Heritage Designations  
**Addresses:** 35 Johnson Street and 160 Belmont Avenue  
**File Numbers:** R01-006-2023 and R01-002-2023

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**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

This report is to provide Notices of Objection for Council's consideration, which were received as part of the heritage designation process currently underway for the two subject properties located at 35 Johnson Street, known as the Anchor Hotel, and 160 Belmont Avenue, known as the Everitt-Miller House.

A Notice of Intention to Designate these properties was served on the owners and published in the newspaper on October 17, 2023. The owners of 35 Johnson Street provided a Notice of Objection on November 8, 2023. The owners of 160 Belmont Avenue provided a Notice of Objection on November 14, 2023. When a Notice of Objection is received by the City, Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate or not. This timeline will expire on February 15, 2024.

The draft designation by-laws were prepared and circulated to the owners in accordance with *Ontario Heritage Act* requirements. In the time since the owner's objections were received, staff have worked with both property owners, and have made minor edits to one of the designation

February 6, 2024

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by-laws to address owner concerns. The subject properties exceed the minimum required criteria for determining cultural heritage value or interest in Ontario. Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the subject properties under Section 29 of the *Ontario Heritage Act* and staff recommend giving final readings to the by-laws and serving a Notice of Passing.

**Recommendation:**

**That** Council acknowledge receipt of the Notice of Objection from Julia McArthur and Justin Connidis dated November 8, 2023, to the proposed designation of the property located at 35 Johnson Street, known as the Anchor House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), decide not to withdraw the Notice to Intention to Designate the property; and

**That** Council give all three readings to the amended Designation By-Law for 35 Johnson Street, attached as Exhibit C to Report Number 24-054 and direct the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act; and

**That** Council acknowledge receipt of the Notice of Objection from Ian Edginton dated November 14, 2023, to the proposed designation of the property located at 160 Belmont Avenue, known as the Everitt-Miller House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), decide not to withdraw the Notice to Intention to Designate the property; and

**That** Council give all three readings to the Designation By-Law for 160 Belmont Avenue, attached as Exhibit D to Report Number 24-054 and direct the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act.

February 6, 2024

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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

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**Options/Discussion:**

This report provides an update on the heritage designation process currently underway for two (2) separate properties, being 35 Johnson Street and 160 Belmont Avenue, and circulates the Notices of Objection that have been received for each (see Exhibits A and B respectively) for Council's consideration.

The property at 35 Johnson Street is located on the north side of Johnson Street between Ontario and King Streets, with 16.6 metres of frontage on Johnson Street. It contains a 5 bay, 2-and-a-half storey house of limestone construction built in 1841, originally with two doorways, one for a tavern and one for a residence, known as the Anchor House.

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

**Background**

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, on October 3, 2023, with respect to [Report Number HP-23-030](#), passed the following motion:

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 160 Belmont Avenue, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-23-030; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 160 Belmont Avenue, attached as Exhibit B (as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the reference to interior features) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 35 Johnson Street, known as the Lynch House, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-23-030; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 35 Johnson Street, known as the Lynch House, attached as Exhibit F (as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the

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reference to interior features) to Report Number HP-23-030, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act;

As 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 and the serving of a notice of its intention to designate a property, anyone, within 30 days of the publication of the notice in the newspaper, can object by providing a Notice of Objection to the City Clerk.

A Notice of Intention to Designate the properties was served on the owners and published in the paper on October 17, 2023. The Notices of Objection were provided to the City on November 8 and November 14, 2023, within the 30-day objection period.

When a Notice of Objection is received by the City, Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate, following the completion of the 30-day objection period. This timeline will expire on February 15, 2024. Council's decision regarding the objection 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.

If Council chooses to publish a Notice of Passing, the public (including the owners) will be afforded a second opportunity to appeal the designation to the Ontario Land Tribunal within 30 days of the publication of the Notice. The Tribunal would then review the appeal, hold a hearing, and render a binding decision on the fate and content of the designation.

### **Cultural Heritage Analysis**

The purpose of the first tier of the two-tier objection/appeal process is to provide the municipality with an opportunity to consider the merits of the objections and reconsider their intention to designate the properties, before relinquishing decision making authority on the fate of the designation to the Ontario Land Tribunal, should the matter be appealed under tier two.

### **35 Johnson Street – Anchor House**

The Letter of Objection for 35 Johnson Street (Exhibit A) outlines several concerns with the proposed designation by-law, primarily the name of the building, the accuracy of the description of some of the features and the limiting of possible expansion opportunities by the list of Heritage Attributes.

Staff have no objection to renaming the designation by-law to the Anchor House, in honour of its popular use as a hotel/inn in the early 20<sup>th</sup> century. Similarly, staff support the minor edits suggested to the Statement of Cultural Heritage Value and Heritage Attributes to ensure accuracy and minimize confusion.

Staff confirmed for the owners that a heritage designation will not, on its own, impede the owners' ability to expand their property, but rather will add an additional layer of consideration.

February 6, 2024

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Staff support removing of the Heritage Attributes “footprint and massing” from the list but have concerns with removing “limestone walls on the sides.” One of the most recognizable heritage features of this building is its random-coursed limestone construction, which can be seen on the sides as well as on the street frontage. The owners did not object to the retention of this attribute.

The draft designation by-law has been amended, as noted above, and provided to the property owners who have confirmed their support for the changes. As per Section 29(6) of the Act, Council needs to formally consider the objection and approve the revised statement of significance, including an updated list of heritage attributes. The amended draft designation by-law is attached as Exhibit C. Photographs of the property are also included as Exhibit E.

### **160 Belmont Avenue – Everitt-Miller House**

The Letter of Objection for 160 Belmont Avenue (Exhibit B) confirms that the owner supports the findings that the property has “historical significance”. The owner’s concerns are not with the draft by-law itself but with the perceived hinderance in their ability to maintain and “upgrade” the building and possible added costs.

While designated properties do sometimes require an additional approval outside of the typical building permit and zoning approvals, and many heritage permits can be approved through the authority granted to the Director of Heritage Services within a truncated timeframe. Staff communicated with the owner and provided information on the heritage permitting process, timelines and resources available to owners of properties designated under the *Ontario Heritage Act*, including providing information on the City’s Heritage Property Grant program. Staff also offered to help the owner through future heritage permit processes as needed.

While the owner was thankful for the information, they maintain their objection to the proposed designation. The owner did not request any edits to the draft designation by-law which was recommended by the Heritage Properties Committee and is attached as Exhibit D. Photographs of the property are also included as Exhibit E.

### **Summary**

Staff have reached out to the owners of both properties and have answered their questions. While the property owners may continue to have objections regarding the designation of their property under the *Ontario Heritage Act*, the draft designation by-laws, attached as Exhibits C and D, were created through a collaborative approach to the designation process in pursuit of the conservation of Kingston’s heritage resources.

The draft by-laws were prepared in accordance with *Ontario Heritage Act* requirements. The subject properties were evaluated against the ‘Criteria for Determining Cultural Heritage Value or Interest’ in Ontario Regulation 9/06, which requires the property to meet at least two (2) of the nine (9) criteria to be considered for designation under the Act. The subject properties exceed the minimum criteria. Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the subject properties at 35 Johnson



February 6, 2024

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Street and 160 Belmont Avenue under Section 29 of the *Ontario Heritage Act*. Staff recommend giving final readings to the by-laws and serving a Notice of Passing.

**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 Passing or 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*.

**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, 613-546-4291 extension 3233

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

Exhibit A Notice of Objection – 35 Johnson Street

Exhibit B Notice of Objection – 160 Belmont Avenue

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- Exhibit C Amended Draft Designation By-Law – Anchor House
- Exhibit D Draft Designation By-Law – Everitt-Miller House
- Exhibit E Photographs of Properties

**To: City of Kingston  
c/o City Clerk**

**Date: November 8, 2023**

**Re: Notice of Objection – 35 Johnson Street**

Thank you for your letters dated August 11, 2023 from Mr. Ryan J. Leary, Senior Planner, and October 17, 2023 from Ms. Janet James, City Clerk, and for the work you do to maintain the heritage of Kingston. The October 17 letter referred to an Exhibit F (as amended) which was not included in the letter but was provided to us last week. Unfortunately, we were away in August when the August 11 letter arrived and for much of September and October due to various family commitments and were not able to attend the public meeting or review this matter until it was too late to comment on it before receiving the October 17 letter. We did raise most matters raised in this letter last week by email correspondence with Ms. James and Mr. Leary and were advised by Mr. Leary as follows: "Your suggestions seem very reasonable and if we had received them in advance of the serving of the formal Notice of Intention to Designate I am sure we could have entertained many of them, however as Council has already reviewed and approved the by-law in its current form, we as staff cannot make changes to it, unless you are willing to submit a formal Objection in writing to the Clerk's office before the 30 day objection period expires on November 16th." Accordingly, we submit this formal notice of objection to the proposed by-law. However, we do wish to be clear that subject to changes we respectfully request be made to the by-law and Exhibit F, we do not otherwise object to the proposed designation of 35 Johnson St.

The following are our comments and requested changes to the proposed by-law and Schedule F:

1. The house since the time David Milne owned and lived in it, and probably long before, has been referred to as the Anchor Inn or Anchor House. We find this a more appealing historical name than the Lynch House. We learned through the Third Crossing naming process that Indigenous peoples do not believe in naming things after people but rather prefer names based on function or geography. We would like to decolonize this house as much as possible in keeping with our reconciliation efforts while acknowledging its historic use "as a private residence or a boarding house" as noted in the report. Accordingly, we would ask that the name Anchor House be used instead of Lynch House.
2. A few changes in the Description of the Property and Physical/Design Value would be appreciated: It is our understanding that the front door is not original to the house but a 20<sup>th</sup> century replacement. The portico referred to was added by Mr. Milne some forty years ago we believe and is not a recent addition. The reference to "a window and small balcony at the west end" should be to "a door and small balcony at the west end". This is located on the third floor of the house, so the house should be described as a two and a half or three storey house, not a 2 storey house. Lastly, since the designation does not relate to the interior, we would ask that the last paragraph in this section relating to the interior be deleted.
3. In terms of the Cultural Heritage Attributes, we are concerned that listing characteristics relating to the rear of the house and all sides would limit the ability to develop the vacant portion of the property in accordance with its existing zoning. The reference to footprint, massing and all sides would appear to adversely affect the ability to create additional housing downtown contrary to provincial guidelines and the City's housing needs. We would ask that this attribute be deleted and limited to the street front of the house. Similarly, the reference to "gable roof with parapet and corbels" might be interpreted as preventing the addition of gable dormers similar to what has been appropriately done on other

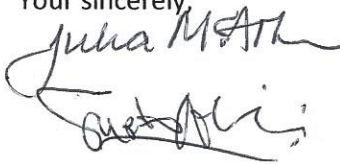
downtown limestone buildings (as opposed to some of the hideous dormers one sees in some places) to make the third floor a family-sized apartment with three bedrooms. (We note that the current tenant is a couple who recently had a baby and need more space, so this would allow a family like that to continue to live there and grow.) In addition, an addition to the house on the vacant portion of the lot in accordance with existing zoning would need to extend to the top of the roof to prevent snow, rain and debris collection. Accordingly, we would ask that this description be changed to "gable ends with parapet and corbels from the top of the roof line to the street front" (i.e. the portion visible from the street).

4. Lastly, we would note that this property is zoned for both residential and commercial uses. Consistent with the City's efforts to get more housing downtown, and to better maintain the historic use of the house, we would suggest the zoning be changed to an appropriate category of residential only by the proposed by-law.

We thank you for your kind consideration and, we hope, adoption of our requests. We would be happy to meet with City representatives to discuss further if desired.

Once again, thank you for your work in preserving our heritage in a sympathetic manner which preserves Kingston's past while enhancing its future.

Your sincerely,

Handwritten signatures of Julia L. McArthur and Justin A. Connidis. The signature for Julia L. McArthur is written in cursive and is positioned above the signature for Justin A. Connidis, which is also in cursive.

Julia L. McArthur & Justin A. Connidis  
25 Sydenham Street,  
Kingston ON K7L 3G8

November 14<sup>th</sup>, 2023

To Whom it May Concern,

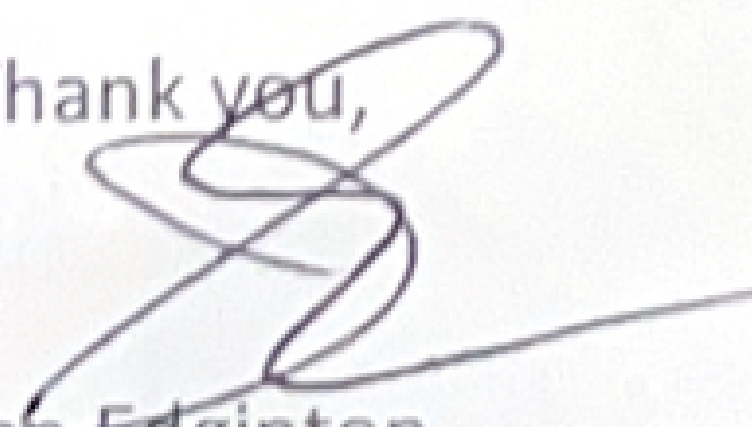
My wife and I are the current owners of 160 Belmont Ave, and I would like to formally protest our home receiving a heritage designation.

Although undeniable that the design of the house has historical significance, certain updates/upgrades are most certainly required to be done in the coming years to ensure that the home will continue to be livable into the future.

- windows:
  - Storm windows have already been installed on all windows in the home, these storm windows will likely need to be replaced and upgraded in the next few years to ensure adequate performance of the building envelope against weather
  - Many of the interior wooden windows are damaged, with broken panes of glass, and rotted wood. It is a significant cost increase to us, the owners, if we are mandated to restore the wooden windows as opposed to upgrading to a more modern window construction
  - window frames, many of the window frames themselves are severely rotted, and will need to be replaced in the coming years
- Exterior limestone:
  - Much of the pointing on the exterior of the home has been poorly repaired since the inception of the home and, to restore the exterior to its original beauty, will need to be repointed in the future.
- Front door
  - The front door that is currently installed is sealed very poorly, and will have to be replaced with a new door and frame
- Sun room Addition:
  - The sun porch on the north side of the home will likely require upgrades and perhaps a rebuild as the slab that it is poured on has heaved over the years, pulling the addition away from the original home

Although we appreciate the committee's interest in designating the home, we feel as though the designation will hinder us, as the owners of the home, to do the necessary upgrades that the home will require to continue to be habitable for the remainder of its life. We took possession of this house in April and have invested a significant amount of our savings into restoring the interior of the home and are concerned at the additional costs associated with this designation moving forward. We feel as though a designation will affect the future value of our investment, and is therefore not agreeable.

Thank you,



Ian Edginton  
(613) 483-4464

**By-Law Number. 2024-XX**

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

**Passed:** XXX, 2024

**Whereas:**

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

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

On September 20, 2023, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Anchor House at 35 Johnson Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On October 17, 2023, *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 October 17, 2023, 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

A 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*") on November 8, 2023, 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

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**Janet Jaynes**

**City Clerk**

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**Bryan Paterson**

**Mayor**

City of Kingston By-Law Number. 2024-XX

**Schedule “A”**

**Description and Criteria for Designation**

**Anchor House**

Civic Address: 35 Johnson Street  
Legal Description: Part Lot 45 Original Survey Kingston City as in FR358046;  
City of Kingston, County of Frontenac; City of Kingston,  
County of Frontenac  
Property Roll Number: 1011 010 120 09300

**Description of Property**

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

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

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

*Physical/Design Value*

This property has physical/design value as a good example of a classical 5-bay limestone building with a Georgian influenced simple rectangular side-gable plan, built to accommodate both residential and commercial use. On the main façade the stones are laid in uniform courses, while the side and rear walls are rubble stonework. The central doorway is recessed with paneled reveals as well as a transom and original stone steps. The 6-panel door is likely not original, and the upper 4 panels have been replaced by glazing. The regular window openings, arranged in the Georgian style, have



stone voussoirs and sills. The south-eastern ground floor window was designed with extra width, presumably to enhance the view of the waterfront for patrons of the inn. The alterations to the 1841 façade are relatively minor: the second front doorway has been stoned in, the original windows have been replaced, and a portico has been added to the front entrance. At the gable ends the chimneys have been removed, two windows inserted at the east end, and a door and small balcony inserted at the west end.

#### *Historical/Associative Value*

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

#### *Contextual Value*

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

### **Heritage Attributes**

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

- Its 5-bay, 2-and-a-half storey configuration;
- Its rubble stone, pitched-faced limestone construction with regular coursing on the main façade and random coursed limestone walls on the sides;
- Original window openings with limestone voussoirs and sills;
- The central doorway with fielded panels and transom; and
- The gable roof with parapet and corbels.

### **Non-Heritage Attributes**

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

- Small entranceway portico

**City of Kingston By-Law Number 2024-XX**

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

**Passed:** [insert date]

**Whereas:**

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

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

On September 20, 2023, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Everitt-Miller House at 160 Belmont Avenue (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On October 17, 2023, *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 October 17, 2023, 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

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**Janet Jaynes**  
**City Clerk**

---

**Bryan Paterson**  
**Mayor**

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

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

**Introduction and Description of Property**

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

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

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

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

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

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

*The property has contextual value because it is a landmark.*

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

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

### **Heritage Attributes**

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

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

# 160 Belmont Avenue - Everitt-Miller House



Google - 2019

# 35 Johnson Street – Anchor House





**City of Kingston  
Report to Council  
Report Number 24-074**

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**To:** Mayor and Members of Council  
**From:** Lanie Hurdle, Chief Administrative Officer  
**Resource Staff:** None  
**Date of Meeting:** February 6, 2024  
**Subject:** Limestone City Co-operative Housing Ltd. - City Owned  
Property Commitment

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**Council Strategic Plan Alignment:**

Theme: 1. Support Housing Affordability

Goal: 1.3 Increase supply of new-build not-for-profit and co-op housing and ensure sustainability and quality of existing stock.

**Executive Summary:**

This report provides Council with an update on the work done by the Limestone City Co-operative Housing Ltd. (LCCH) since the City approved a contribution of \$50,000, in June 2023, to advance its housing project development work.

This report recommends that Council commit the City-owned property located at 900 Division Street to the LCCH for a one-year period to allow it to develop architectural designs as well as a business and financing plan that could support a future residential development. Staff recognize that some City properties within the urban boundary are in high demand for much needed housing and therefore, want to ensure that vacant City-owned properties are not encumbered on an ongoing basis.

Furthermore, this report recommends that Council direct City staff to work with Brauer Homes to develop a partnership to implement a modular home pilot project, including affordable ownership at the City-owned property located at 367 Gore Road. This is the other property that was initially contemplated by the LCCH through [Report Number 23-174](#). Staff are also recommending a maximum period of 6 months to develop a plan and partnership for the 367 Gore Road property.



February 6, 2024

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**Recommendation:**

**That** Council commit the City-owned property located at 900 Division Street for a one-year period to allow the Limestone City Co-operative Housing Ltd. to develop architectural designs as well as a financing plan for a residential development; and

**That** Council direct staff to work with Brauer Homes to develop a modular home partnership over the next 6 months, that will include affordable ownership, to be built on the City-owned property located at 367 Gore Road; and

**That** Council direct staff to report back with an update on both the 900 Division Street and 367 Gore Road projects within the prescribed timeframes.

February 6, 2024

Page 3 of 6

**Authorizing Signatures:**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

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**Lanie Hurdle, Chief  
Administrative Officer**

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

Paige Agnew, Commissioner, Growth & Development Services

Jennifer Campbell, Commissioner, Community Services

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

February 6, 2024

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**Options/Discussion:****Background**

On June 20, 2023, through [Report Number 23-174](#), City Council endorsed a contribution of up to \$50,000 to support the Limestone City Co-operative Housing Ltd. (LCCH) with the retention of consulting expertise to develop a concept and budget for a future residential development.

The report also identified two City-owned properties that could be considered for the future development: 900 Division Street and 367 Gore Road. Both properties were identified as surplus and available for the purpose of residential development.

**Analysis****Limestone City Co-operative Housing Ltd.**

LCCH has recently retained a consultant/architect to support the development of its future project. It is important for the LCCH to have a dedicated property to start the planning work.

LCCH intends to develop a building with close to 300 residential units which would include 5-6 rent-geared-to-income (RGI) housing units. The number of RGI units could vary depending on final architectural plans and grant opportunities. Other units will be set at cost which the LCCH hopes will be at or below market rent. As an incorporated not-for-profit housing co-operative, LCCH cannot charge more in housing costs than what is reasonably necessary to maintain the building and pay off debts and obligations. Furthermore, residents are co-operative members, not tenants, and are expected to contribute to the maintenance and upkeep of the LCCH through mandatory volunteer hours. This approach often means that it is cheaper to occupy a unit in a not-for-profit housing co-operative than a traditional apartment building.

The project that is contemplated by the LCCH would incorporate various green spaces including community gardens and vertical farming which would enable members to grow and consume their own food. Based on preliminary concepts created by the consultant/architect, the property located at 900 Division Street would provide a better footprint and higher density potential. Very preliminary information indicates that the overall project cost could range between \$170M - \$180M. There is still significant work to be done on the concept and business/financing plans.

City staff recognize that there is a growing need for properties that can accommodate residential growth within the urban boundary. Staff understand there is an urgent need for more housing and therefore are recommending that City-owned properties not be encumbered on a long-term basis until there are feasible development plans. Therefore, staff are recommending that 900 Division Street be committed to LCCH for a period of one year in order to provide LCCH with appropriate time to develop a detailed concept and financing plan. The LCCH Board has indicated that they intend to finance the project through grants and mortgage. At this point, LCCH does not intend to request funding from the City in addition to the property contribution, but this could change once LCCH has a more detailed concept and financing plan.

February 6, 2024

Page 5 of 6

**367 Gore Road & Brauer Homes**

[Report Number 23-174](#) also identified the City-owned property located at 367 Gore Road as a property available for future housing development. Although it was not the preferred site identified by LCCH, this property can accommodate lower density developments.

Recently, City staff were approached by Brauer Homes, which is a residential developer operating in the Belleville area for over 30 years, who is interested in building modular homes in partnership with the City. This modular home project is an innovative housing product development that would support the City’s strategic priority of promoting the increased supply of housing through underutilized public properties and innovative partnerships.

The modular homes contemplated for 367 Gore Road would be primarily studios and one-bedroom homes. It is anticipated that some homes would be available for affordable ownership while even market units would be highly attainable and in the range of \$150,000 to \$200,000. This range would make ownership of these modular homes affordable for many residents that may not be able to attain home ownership at market rates for traditional single, semi-detached, row housing or condos. The median list price of condos/apartments at the end of 2023 was \$430,200 in Kingston.

Staff are recommending that a partnership for the development of affordable and market modular homes at 367 Gore Road be explored in partnership with Brauer Homes and that City staff report back with details over the next 6 months.

**Public Engagement**

Public engagement for both projects will be required through the relevant and appropriate land use processes.

**Climate Risk Considerations**

Both projects propose residential developments on underutilized properties located within the existing urban boundaries, hence maximizing existing resources. Furthermore, the LCCH project proposes significant green spaces as well as community gardens and vertical farming.

**Indigenization, Inclusion, Diversity, Equity & Accessibility (IIDEA) Considerations**

It is anticipated that both projects will provide affordable rental and ownership options for Kingston residents.

**Financial Considerations**

There are no financial contributions proposed within this report. Land values will be identified when the final disposal recommendation is brought to city council.

February 6, 2024

Page 6 of 6

**Contacts:**

Lanie Hurdle, Chief Administrative Officer, 613-546-4291 extension 1231

**Other City of Kingston Staff Consulted:**

Lisa Capener-Hunt, Director, Building Services & Chief Building Official

**Exhibits Attached:**

None



**City of Kingston  
Report to Council  
Report Number 24-067**

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**To:** Mayor and Members of Council  
**From:** Lanie Hurdle, Chief Administrative Officer  
**Resource Staff:** None  
**Date of Meeting:** February 6, 2024  
**Subject:** Update – Kingston & Area Taxi Licensing Commission and Accessible Taxi Program

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**Council Strategic Plan Alignment:**

Theme: Policies & by-laws

Goal: See above

**Executive Summary:**

This report provides Council with an update on the operations and governance of the Kingston & Area Taxi Licensing Commission (KATLC) as previously directed by Council. This report recommends the extension of the agreement between the City and KATLC to oversee the administration and enforcement of the by-law regulating Transportation Network Companies (TNC). Staff are also recommending that a portion of the revenues generated from the TNC licenses and fees be redirected to the implementation of an accessible taxi program.

**Recommendation:**

**That** Council approve a two-year extension of the Service Level Agreement with Kingston & Area Taxi Licensing Commission for the administration and enforcement of By-Law Number 2022-06, A By-Law to Regulate and License Transportation Network Companies in the City of Kingston; and

**That** Council direct staff to amend the Service Level Agreement with Kingston & Area Taxi Licensing Commission to ensure that a portion of the revenues generated through By-Law

February 6, 2024

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Number 2022-06, A By-Law to Regulate and License Transportation Network Companies in the City of Kingston, is redirected to implement an accessible taxi program; and

**That** Council authorize the Mayor and Clerk to enter into an amended Service Level Agreement with Kingston & Area Taxi Licensing Commission and sign all relevant documents or agreements with the Kingston & Area Taxi Licensing Commission to facilitate the extension of the existing Service Level Agreement and implement an accessible taxi program; and

**That** Council direct staff to report back on a yearly basis on the outcome of the accessible taxi program.

February 6, 2024

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**Authorizing Signatures:**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

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**Lanie Hurdle, Chief  
Administrative Officer**

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

Paige Agnew, Commissioner, Growth & Development Services

Jennifer Campbell, Commissioner, Community Services

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



February 6, 2024

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**Options/Discussion:****Background**

On May 3, 2022 ([Report Number 22-146](#)), Council approved a service level agreement with the Kingston & Area Taxi Licensing Commission (KATLC), allowing for a pilot program under which the KATLC would administer aspects of the licensing and enforcement of [By-Law Number 2022-06](#), A By-Law to Regulate and License Transportation Network Companies in the City of Kingston (the Rideshare By-Law), with oversight by municipal staff. The Rideshare By-Law is the by-law that regulates rideshare entities, such as Uber, in the City of Kingston.

In September 2022, Council subsequently considered [Report Number 22-241](#) regarding options to address operational concerns about KATLC, which were raised by the industry and members of the public. At that meeting, Council directed staff to report back with information on the operations and governance of the KATLC:

**That** Council defer Report Number 22-241 in order for staff to review, amend and report back by Q3, 2023 on the substantive governance and operational changes implemented by the Kingston and Area Taxi Licensing Commission since 2021 through direct consultation with the Commission members appointed by Council, elected members representing the City of Kingston and Loyalist Township, Commission staff and transportation network companies under regulation during the 2021-2023 period of review to afford a direct comparison of current services being provided and proposed in-house services.

The KATLC is the legislated authority for the licensing, regulating and governing of the owners and drivers of taxi cabs in the City of Kingston and the Township of Loyalist in accordance with the KATLC's by-laws. As indicated above, the KATLC is also responsible for certain aspects of licensing and enforcement of the Rideshare By-Law under its service level agreement with the City. The process of issuing licenses by the KATLC is similar in all respects to that which is followed by municipal staff for all other licensing requirements.

The regular inspection of vehicles is one way that the KATLC ensures that the public is being offered safe and comfortable taxi services within the City of Kingston. Most inspections require a visual inspection and confirmation of ownership and other vehicle related records.

The KATLC currently administers taxi industry by-law enforcement services through its own staff. It also undertakes its own prosecutions of by-law violations through outsourced legal services. Further, under its service level agreement with the City, the KATLC provides by-law enforcement services related to the Rideshare By-Law.

**Analysis**

Over the last number of months, City staff connected with members from the KATLC and obtained information on changes implemented within the KATLC and to its programs/operations, including:

February 6, 2024

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- Regular KATLC meetings and establishment of sub-committees to provide oversight to certain aspects of the operations
- New software to address outdated processes and data collection
- Benefit program for taxi drivers and their families
- New staffing with more comprehensive knowledge and training
- Staff and community events
- Preparation of a new accessible taxi program in Loyalist Township with the potential to implement in Kingston
- Implementation of Transportation Network Company licensing and enforcement
- Submission of 2019 and 2020 audited financial statements, previously received by City staff, and attached to this report as Exhibit A
- Submission of 2024 operating budget which is attached to this report as Exhibit B

City staff have requested the 2021 and 2022 audited statements and are still awaiting the submission of these documents.

City staff have also connected with the taxi operators, and they have limited feedback, other than their request to implement an accessible taxi program as there are currently only six accessible taxi vehicles and 12 licenses to operate accessible taxis. This is not sufficient to meet the existing and growing need within the community.

### **Accessible Taxi Program**

In 2023, Loyalist Township implemented an accessible taxi program in partnership with KATLC. The purpose of this program is to offer accessible services that mirror the service provided by Transit Route 10, as Kingston Access Bus does not provide service within Loyalist Township. This partnership ensured that Loyalist Township met the *Accessibility for Ontarians with Disabilities Act* requirements. The Township pays a fee based on service as part of this agreement.

City staff discussed a different program with the KATLC since Kingston Access Bus already services the population within the city boundary. The proposed program would essentially build more capacity to provide accessible transportation in Kingston by adding a number of accessible taxis and providing additional compensation for the operators that must be available for accessible calls as each pick and drop off will require more time. The intent is to provide this enhanced service in addition to Kingston Access Bus and help alleviate pressures and wait times for people requiring accessible transportation.

The program for Kingston would be similar to the one in Loyalist Township but would be available to all residents within the city boundary and would be financed from revenues generated through the Transportation Network Companies (TNC) licenses and ride fees

February 6, 2024

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implemented in 2022. Therefore, the program would not have any impact on the City's budget or property taxes.

Through its existing service level agreement with the City, the KATLC has built good working relationships with TNCs, and the Rideshare By-Law appears to be implemented as intended, including the licensing and enforcement components. In 2023, it is estimated that the TNC licenses and ride fees generated approximately \$210,000 in revenues to the KATLC.

These revenues have been utilized to provide operational services to license TNCs and enforce the Rideshare By-Law. In 2024, the KATLC is proposing to set \$120,000 aside from the TNC revenues to finance an accessible taxi program that would add four to six new accessible taxis per year starting in 2024. KATLC is proposing to purchase the vehicles and sub-lease them to operators to ensure that all vehicles meet accessibility standards.

Furthermore, a portion of the \$120,000 would be redirected in the form of a subsidy to accessible taxi license operators who have to be available for accessibility calls and therefore are not able to maximize their revenues through other fares.

The amount of the \$120,000 contribution is based on a trip fee of \$0.25 (2023 fee schedule with \$0.10 to administration and \$0.15 to the accessible taxi program). This fee is increasing to \$0.27 in 2024; therefore, the contribution to the accessible taxi program will be \$0.17 per trip.

Staff are proposing to extend the service level agreement between the City and KATLC for two years and amend the agreement to include the details of the accessible taxi program. Staff will provide Council with a yearly update on the administration of the service level agreement and the outcome of the accessible taxi program.

City staff had an opportunity to complete a municipal scan of fees specifically redirected to finance an accessible taxi program. Based on municipalities surveyed, it appears that Toronto, Ottawa and Hamilton are the only municipalities that reallocate revenues from transportation network companies' fees to support accessible taxi programs.

### **Public Engagement**

City staff will provide details of the accessible taxi program to the Municipal Accessibility Advisory Committee (MAAC).

### **Indigenization, Inclusion, Diversity, Equity & Accessibility (IIDEA) Considerations**

The existing accessible taxi program is fairly limited with only six vehicles and 12 licenses in operation. This has been putting added pressure on Kingston Access Bus services. The intent of the accessible taxi program is to introduce four to six additional accessible vehicles per year and to provide an operating compensation to taxi drivers that operate accessible taxi licenses.

February 6, 2024

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**Existing Policy/By-Law**

By-Law Number 2022-06, A By-Law to Regulate and License Transportation Network Companies in the City of Kingston

**Financial Considerations**

The total 2023 revenues from the licenses and fees from the TNCs is estimated to be in the range of \$210,000. The KATLC covers the cost of licensing and enforcement related to the Rideshare By-Law. The 2024 TNC fees were approved by Council in December 2023:

	2023	2024
TNC license (1 to 50 vehicles)	\$1,030	\$1,061.06
TNC license (51 to 100 vehicles)	\$5,150	\$5,304.42
TNC license (101 to 500 vehicles)	\$10,300	\$10,608.85
TNC trip fee (each)	\$0.25	\$0.27

It is proposed that in 2024, \$120,000 be redirected to an accessible taxi program and that remaining revenues be utilized to cover operating costs related to licensing of TNCs and enforcement of the Rideshare By-Law. The estimated \$120,000 contribution is based on a TNC trip fee of \$0.25 (\$0.10 to administration and \$0.15 to the accessible taxi program). It is anticipated that the amount will be bit higher than \$120,000 considering that the TNC trip fee is set at \$0.27 in 2024 which will provide a \$0.17 per trip allocation to the accessible taxi program.

**Contacts:**

Lanie Hurdle, Chief Administrative Officer, 613-546-4291 extension 1231

**Other City of Kingston Staff Consulted:**

Janet Jaynes, City Clerk

Curtis Smith, Director, Licensing & Enforcement Services

**Exhibits Attached:**

Exhibit A - KATLC 2019 and 2020 audited financial statements

Exhibit B - KATLC 2024 operating budget



**Kingston Area Taxi Commission**  
**Financial Statements**  
*December 31, 2019*

**Kingston Area Taxi Commission**  
**Financial Statements**  
*December 31, 2019*

**Kingston Area Tax Commission**  
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*For the year ended December 31, 2019*

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## Independent Auditor's Report

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To the Members of Kingston Area Taxi Commission:

### Opinion

We have audited the financial statements of Kingston Area Taxi Commission (the "Commission"), which comprise the statement of financial position as at December 31, 2019, and the statements of financial activities, changes in fund balances and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Commission as at December 31, 2019, and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Commission in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Other Matter

The financial statements of the Commission for the year ended December 31, 2018 were audited by Baker Tilly SEO LLP of Kingston, Ontario, Canada. Baker Tilly SEO LLP expressed an unmodified opinion on those statements on June 19, 2019.

### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Commission or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Commission's financial reporting process.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.



## Exhibit A to Report Number 24-067

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Kingston, Ontario

June 18, 2020

*MNP LLP*

Chartered Professional Accountants

Licensed Public Accountants

**Kingston Area Tax Commission  
Statement of Financial Position**

As at December 31, 2019

	<i>Rate Stabilization Fund</i>	<i>Accessible Taxi Fund</i>	<i>2019</i>	<i>2018</i>
<b>Assets</b>				
<b>Current</b>				
Cash and bank (Note 2)	199,314	9,730	209,044	198,610
Short-term deposits (Note 3)	39,864	-	39,864	39,666
Prepaid expenses	1,204	-	1,204	1,204
HST receivable	5,680	-	5,680	3,476
Loans receivable	-	47,457	47,457	46,367
Due from rate stabilization fund	-	2,813	2,813	2,570
	<b>246,062</b>	<b>60,000</b>	<b>306,062</b>	<b>291,893</b>
<b>Liabilities</b>				
<b>Current</b>				
Accounts payable and accrued liabilities	17,279	-	17,279	9,796
Deferred revenue	131,850	-	131,850	136,590
Due to accessible fund	2,813	-	2,813	2,570
	<b>151,942</b>	<b>-</b>	<b>151,942</b>	<b>148,956</b>
<b>Municipal Position</b>				
Rate stabilization fund (Note 4)	94,120	-	94,120	82,937
Accessible taxi fund (Note 5)	-	60,000	60,000	60,000
	<b>94,120</b>	<b>60,000</b>	<b>154,120</b>	<b>142,937</b>

Approved on behalf of the Board

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

**Kingston Area Tax Commission**  
**Statement of Financial Activities**  
*For the year ended December 31, 2019*

	<i>Rate Stabilization Fund</i>	<i>Accessible Taxi Fund</i>	<i>2019</i>	<i>2018</i>
<b>Revenue</b>				
Administration fees	60,178	-	60,178	-
Broker licenses	4,000	-	4,000	4,000
Driver licenses	96,030	-	96,030	91,585
Plateholder licenses	58,250	-	58,250	57,050
Other licensing and sundry revenues	22,380	-	22,380	24,475
Interest income	231	-	231	197
	<b>241,069</b>	<b>-</b>	<b>241,069</b>	<b>177,307</b>
<b>Expenditures</b>				
Advertising and promotion	300	-	300	1,053
Bank charges and interest	1,117	-	1,117	1,143
Enforcement	1,092	-	1,092	1,263
Insurance	4,056	-	4,056	4,708
Licensing costs	-	-	-	509
Mileage and parking	76	-	76	72
Office equipment	7,240	-	7,240	427
Office equipment rentals	1,339	-	1,339	1,513
Office rent and utilities	21,122	-	21,122	21,243
Office supplies	4,859	-	4,859	4,009
Photocopying	472	-	472	582
Postage	1,516	-	1,516	1,368
Professional fees	41,354	-	41,354	11,265
Salaries and benefits	132,011	-	132,011	113,808
Telephone	3,292	-	3,292	2,489
Training and education	417	-	417	312
Vehicle	9,336	-	9,336	8,187
Website	287	-	287	321
	<b>229,886</b>	<b>-</b>	<b>229,886</b>	<b>174,272</b>
<b>Net revenue (expense), for the year</b>	<b>11,183</b>	<b>-</b>	<b>11,183</b>	<b>3,035</b>

**Kingston Area Tax Commission  
Statement of Fund Balances**

*For the year ended December 31, 2019*

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	<i>Rate Stabilization Fund</i>	<i>Accessible Taxi Fund</i>	<i>2019</i>	<i>2018</i>
<b>Fund balances, beginning of year</b>	<b>82,937</b>	<b>60,000</b>	<b>142,937</b>	<b>139,902</b>
<b>Net revenue (expense), for the year</b>	<b>11,183</b>	<b>-</b>	<b>11,183</b>	<b>3,035</b>
<b>Fund balances, end of year</b>	<b>94,120</b>	<b>60,000</b>	<b>154,120</b>	<b>142,937</b>

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*The accompanying notes are an integral part of these financial statements*

**Kingston Area Tax Commission**  
**Statement of Cash Flows**

*For the year ended December 31, 2019*

	2019	2018
<b>Cash provided by (used for) the following activities</b>		
<b>Operating</b>		
Excess (deficiency) of revenue over expenditures	11,183	3,035
Changes in working capital accounts		
Prepaid expenses	-	(1)
HST receivable	(2,204)	283
Accounts payable and accrued liabilities	7,483	308
Deferred revenue	(4,740)	5,395
	<b>11,722</b>	<b>9,020</b>
<b>Investing</b>		
Advances of loan receivable	(38,500)	(17,500)
Repayments of loan receivable	37,410	25,021
	<b>(1,090)</b>	<b>7,521</b>
<b>Increase in cash resources</b>	<b>10,632</b>	<b>16,541</b>
<b>Cash resources, beginning of year</b>	<b>238,276</b>	<b>221,735</b>
<b>Cash resources, end of year</b>	<b>248,908</b>	<b>238,276</b>
<b>Cash resources are composed of:</b>		
Cash and bank	209,044	198,610
Short-term deposits	39,864	39,666
	<b>248,908</b>	<b>238,276</b>

**Kingston Area Tax Commission**  
**Notes to the Financial Statements**  
*For the year ended December 31, 2019*

**1. Significant Accounting Policies**

***Nature of Entity***

The Kingston Area Tax Commission (the "commission") is a tax licensing body for the City of Kingston and Loyalist Township.

***Basis of Accounting***

The financial statements of the commission are the representations of management prepared in accordance with Canadian public sector accounting standards for local governments as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

***Measurement Uncertainty (use of estimates)***

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

Estimates have been made by management within these financial statements primarily in relation to prepaid expenses and accounts payable and accrued liabilities.

These estimates and assumptions are reviewed periodically and as adjustments become necessary they are reported in the periods in which they become known.

***Cash and Cash Equivalents***

Cash and cash equivalents consist of cash on hand and cash in the bank.

***Capital Assets***

Capital assets are reported as an expenditure on the statement of financial activities and rate stabilization fund in the year of acquisition. During the year, the amount expended by the commission on new capital assets is \$7,119 (2018 - \$Nil).

***Revenue Recognition***

Revenue from the sale of licences is recognized in the licensed year once payment is received from the customer. Interest income is recognized as revenue when earned.

**2. Cash and Bank**

The commission's bank accounts are held at one chartered bank. The bank accounts earn interest from 0% to 0.25%.

**3. Short-term Deposits**

	<b>2019</b>	<b>2018</b>
Short-term deposits	<b>39,864</b>	<b>39,666</b>

Short-term deposits consist of cashable guaranteed investment certificates (GIC's), earning interest at a rate of 0.50%, and maturing February 7, 2020.

**4. Rate Stabilization Fund**

Effective December 31, 1997, the participating municipalities agreed to allow the commission to retain any operating surplus in a rate stabilization fund for use in future operations. Similarly, effective January 1, 1998, the participating municipalities are no longer subject to an annual operating levy, however, they will continue to be liable for any deficits incurred in operating the commission.

**Kingston Area Tax Commission  
Notes to the Financial Statements**

*For the year ended December 31, 2019*

**5. Accessible Taxi Fund**

Per a funding agreement dated November 20, 2013, the City of Kingston agreed to provide the commission one time funding of \$60,000 to provide financial assistance of up to \$20,000 per vehicle to one or more plateholders for the purchase of an accessible taxicab. The funding is a loan which is forgivable by the City of Kingston in its sole discretion and any balance distributed shall be fully forgiven on the third anniversary of the agreement. Any balance remaining undistributed shall be repaid to the City of Kingston on the third anniversary of the agreement. No interest shall accrue on the funding.

**6. Commitments**

The commission has an operating lease for its premises at \$990 plus HST per month until the lease expires June 30, 2020. The lease includes a property tax and operating expense adjustment clause based on the commission's proportionate share.

The commission has an operating lease for a vehicle at \$404 plus HST until the lease expires in October 2023.

The commission has an operating lease for a copier. The copier is leased at \$329 plus HST, per quarter under a lease expiring in March 2023.

The minimum annual lease payments for the next four years are as follows:

2020	14,898
2021	8,956
2022	8,956
2023	5,119
	37,929

**7. Future Operations**

Under the terms of a municipal restructuring agreement between three of the participating municipalities, the commission was dissolved on December 31, 1997, however, it was agreed that the commission would continue to operate under its present mandate and by-laws until further notice.

**8. Financial Instruments**

Financial instruments are financial assets or liabilities of the commission where, in general, the commission has the right to receive cash or another financial asset from another party or the commission has the obligation to pay another party cash or other financial assets.

Financial instruments consist of cash, short-term deposits, HST receivable, loan receivable and accounts payable and accrued liabilities.

The commission initially recognized its financial instruments at fair value and subsequently measures them at amortized cost.

Financial assets measured at cost or amortized cost are tested for impairment at the end of each year and the amount of the write-down is recognized in net income. The previously recognized impairment loss may be reversed to the extent of the improvement and the amount of the reversal is recognized in net income. The reversal may be recorded provided it is no greater than the amount that had been previously reported as a reduction in the asset and it does not exceed original cost.

**Kingston Area Taxi Commission**  
**Notes to the Financial Statements**

*For the year ended December 31, 2019*

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**9. Subsequent Events**

Subsequent to year-end, there was a global outbreak of COVID-19 (coronavirus), which has had a significant impact on businesses through the restrictions put in place by the Canadian, provincial and municipal governments regarding travel, business operations and isolation/quarantine orders. At this time, it is unknown the extent of the impact the COVID-19 outbreak may have on the Commission as this will depend on future developments that are highly uncertain and that cannot be predicted with confidence. These uncertainties arise from the inability to predict the ultimate geographic spread of the disease, and the duration of the outbreak, including the duration of travel restrictions, business closures or disruptions, and quarantine/isolation measures that are currently, or may be put, in place by Canada and other countries to fight the virus.





**Kingston Area Taxi Commission**  
**Financial Statements**  
*December 31, 2020*

**Kingston Area Taxi Commission**  
**Financial Statements**  
*December 31, 2020*

Kingston Area Taxi Commission

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## Independent Auditor's Report

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To the Members of Kingston Area Taxi Commission:

### Opinion

We have audited the financial statements of Kingston Area Taxi Commission (the "Commission"), which comprise the statement of financial position as at December 31, 2020, and the statements of financial activities, fund balances and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Commission as at December 31, 2020, and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Commission in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Commission or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Commission's financial reporting process.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

## Exhibit A to Report Number 24-067

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Kingston, Ontario

September 17, 2021

**MNP LLP**

Chartered Professional Accountants

Licensed Public Accountants

**Exhibit A to Report Number 24-067**

**Kingston Area Taxi Commission  
Statement of Financial Position**

*As at December 31, 2020*

	<i>Rate Stabilization Fund</i>	<i>Accessible Taxi Fund</i>	<i>2020</i>	<i>2019</i>
<b>Assets</b>				
<b>Financial Assets</b>				
Cash (Note 2)	192,338	38,529	230,867	209,044
Short-term deposits (Note 3)	40,064	-	40,064	39,864
Prepaid expenses	1,204	-	1,204	1,204
HST receivable	4,651	-	4,651	5,680
Loan receivable (Note 4)	-	21,471	21,471	47,457
Due from Rate Stabilization Fund	-	-	-	2,813
	<b>238,257</b>	<b>60,000</b>	<b>298,257</b>	<b>306,062</b>
<b>Liabilities</b>				
<b>Current</b>				
Accounts payable and accruals	10,851	-	10,851	17,279
Deferred contributions	106,375	-	106,375	131,850
Due to Accessible Taxi Fund	-	-	-	2,813
	<b>117,226</b>	<b>-</b>	<b>117,226</b>	<b>151,942</b>
<b>Total net assets</b>	<b>121,031</b>	<b>60,000</b>	<b>181,031</b>	<b>154,120</b>
<b>Municipal position</b>				
Rate stabilization fund (Note 5)	121,031	-	121,031	94,120
Accessible Taxi Fund (Note 6)	-	60,000	60,000	60,000
	<b>121,031</b>	<b>60,000</b>	<b>181,031</b>	<b>154,120</b>

Approved on behalf of the Commission

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

**Exhibit A to Report Number 24-067**

**Kingston Area Tax Commission  
Statement of Financial Activities**

*For the year ended December 31, 2020*

	Rate Stabilization Fund			Accessible Taxi Fund	
	2020 (Budget - Unaudited)	2020 (Actual)	2019 (Actual)	2020 (Actual)	2019 (Actual)
<b>Revenue</b>					
Administration fees	150,000	84,071	60,178	-	-
Broker licenses	4,000	4,000	4,000	-	-
Driver licenses	122,610	82,830	96,030	-	-
Plateholder licenses	57,050	55,700	58,250	-	-
Other licensing and sundry revenues	25,600	14,220	22,380	-	-
Interest income	253	468	231	-	-
	359,513	241,289	241,069	-	-
<b>Expenditures</b>					
Advertising and promotion	1,300	225	300	-	-
Bank charges	1,250	2,220	1,117	-	-
Enforcement	4,500	169	1,092	-	-
Insurance	5,000	4,266	4,056	-	-
Licensing costs	605	-	-	-	-
Mileage and parking	100	20	76	-	-
Office equipment	3,440	4,679	7,240	-	-
Office equipment rentals	2,900	1,376	1,339	-	-
Office rental and utilities	26,123	21,660	21,122	-	-
Office supplies	4,315	3,627	4,859	-	-
Photocopying	670	250	472	-	-
Postage	2,200	1,093	1,516	-	-
Professional fees	54,900	32,775	41,354	-	-
Salaries, wages and benefits	134,340	132,634	132,011	-	-
Telephone	3,800	1,953	3,292	-	-
Training and education	500	269	417	-	-
Vehicle	9,750	6,415	9,336	-	-
Website	2,000	747	287	-	-
	257,693	214,378	229,886	-	-
<b>Excess of revenue over expenditures</b>	101,820	26,911	11,183	-	-

**Exhibit A to Report Number 24-067**

**Kingston Area Tax Commission  
Statement of Fund Balances**

*For the year ended December 31, 2020*

	<i>Rate Stabilization Fund</i>		<i>Accessible Taxi Fund</i>	
	<i>2020</i>	<i>2019</i>	<i>2020</i>	<i>2019</i>
<b>Fund balances, beginning of year</b>	<b>94,120</b>	<b>82,937</b>	<b>60,000</b>	<b>60,000</b>
<b>Excess of revenue over expenditures</b>	<b>26,911</b>	<b>11,183</b>	<b>-</b>	<b>-</b>
<b>Fund balances, end of year</b>	<b>121,031</b>	<b>94,120</b>	<b>60,000</b>	<b>60,000</b>



**Exhibit A to Report Number 24-067**

**Kingston Area Tax Commission**

**Statement of Cash Flows**

*For the year ended December 31, 2020*

	2020	2019
<b>Cash provided by (used for) the following activities</b>		
<b>Operating</b>		
Excess of revenue over expenditures	26,911	11,183
Changes in working capital accounts		
HST receivable	1,029	(2,204)
Accounts payable and accrued liabilities	(6,428)	7,483
Deferred revenue	(25,475)	(4,740)
	<b>(3,963)</b>	<b>11,722</b>
<b>Investing</b>		
Advances of loan receivable	-	(38,500)
Repayments of loan receivable	25,986	37,410
	<b>25,986</b>	<b>(1,090)</b>
<b>Increase in cash resources</b>	<b>22,023</b>	<b>10,632</b>
<b>Cash resources, beginning of year</b>	<b>248,908</b>	<b>238,276</b>
<b>Cash resources, end of year</b>	<b>270,931</b>	<b>248,908</b>
<b>Cash resources are composed of:</b>		
Cash and bank	230,867	209,044
Short-term deposits	40,064	39,864
	<b>270,931</b>	<b>248,908</b>

**Kingston Area Taxi Commission**  
**Notes to the Financial Statements**  
*For the year ended December 31, 2020*

**1. Significant Accounting Policies**

***Nature of Entity***

The Kingston Area Taxi Commission (the "commission") is a taxi licensing body for the City of Kingston and Loyalist Township.

***Basis of Accounting***

The financial statements of the commission are the representations of management prepared in accordance with Canadian public sector accounting standards for local governments as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

***Measurement Uncertainty (use of estimates)***

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

Estimates have been made by management within these financial statements primarily in relation to prepaid expenses and accounts payable and accrued liabilities.

These estimates and assumptions are reviewed periodically and as adjustments become necessary they are reported in the periods in which they become known.

***Cash and Cash Equivalents***

Cash and cash equivalents consist of cash on hand and cash in the bank.

***Capital Assets***

Capital assets are reported as an expenditure on the statement of financial activities and rate stabilization fund in the year of acquisition. During the year, the amount expended by the commission on new capital assets is \$4,747 (2019 - \$7,119).

***Revenue Recognition***

Revenue from the sale of licences is recognized in the licensed year once payment is received from the customer. Interest income is recognized as revenue when earned.

**2. Cash and Bank**

The commission's bank accounts are held at one chartered bank. The bank accounts earn interest from 0% to 0.25%.

**3. Short-term Deposits**

	2020	2019
Short-term deposits	40,064	39,864

Short-term deposits consist of cashable guaranteed investment certificates (GIC's), earning interest at a rate of 0.50%, and maturing February 9, 2021.

**4. Loans Receivable**

The Commission loans funds to Plateholders for the purpose of acquiring an accessible taxi. The loans are interest free, are repayable in 36 consecutive equal monthly payments and are secured by the accessible taxi vehicle. The loans receivable balance is comprised of two loans and are due no later than October, 2022.

**5. Rate Stabilization Fund**

Effective December 31, 1997, the participating municipalities agreed to allow the commission to retain any operating surplus in a rate stabilization fund for use in future operations. Similarly, effective January 1, 1998, the participating municipalities are no longer subject to an annual operating levy, however, they will continue to be liable for any deficits incurred in operating the commission.

**6. Accessible Taxi Fund**

Per a funding agreement dated November 20, 2013, the City of Kingston agreed to provide the commission one time funding of \$60,000 to provide financial assistance of up to \$20,000 per vehicle to one or more plateholders for the purchase of an accessible taxicab. The funding is a loan which is forgivable by the City of Kingston in its sole discretion and any balance distributed shall be fully forgiven on the third anniversary of the agreement. Any balance remaining undistributed shall be repaid to the City of Kingston on the third anniversary of the agreement. No interest shall accrue on the funding.

**7. Commitments**

The commission has an operating lease for its premises at \$973 plus HST per month until the lease expires June 30, 2022. The lease includes a property tax and operating expense adjustment clause based on the commission's proportionate share.

The commission has an operating lease for a vehicle at \$404 plus HST until the lease expires in October 2023.

The commission has an operating lease for a copier. The copier is leased at \$329 plus HST, per quarter under a lease expiring in March 2023.

The minimum annual lease payments for the next three years are as follows:

2021	20,635
2022	14,796
2023	5,119
	<hr/>
	40,550
	<hr/>

**8. Future Operations**

Under the terms of a municipal restructuring agreement between three of the participating municipalities, the commission was dissolved on December 31, 1997, however, it was agreed that the commission would continue to operate under its present mandate and by-laws until further notice.

**9. Financial Instruments**

Financial instruments are financial assets or liabilities of the commission where, in general, the commission has the right to receive cash or another financial asset from another party or the commission has the obligation to pay another party cash or other financial assets.

Financial instruments consist of cash, short-term deposits, HST receivable, loan receivable and accounts payable and accruals.

The commission initially recognized its financial instruments at fair value and subsequently measures them at amortized cost.

Financial assets measured at cost or amortized cost are tested for impairment at the end of each year and the amount of the write-down is recognized in net income. The previously recognized impairment loss may be reversed to the extent of the improvement and the amount of the reversal is recognized in net income. The reversal may be recorded provided it is no greater than the amount that had been previously reported as a reduction in the asset and it does not exceed original cost.

**Kingston Area Taxi Commission**  
**Notes to the Financial Statements**  
*For the year ended December 31, 2020*

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**10. Significant Events**

Ongoing at year-end, there is a global outbreak of COVID-19 (coronavirus), which has had a significant impact on businesses through the restrictions put in place by the Canadian, provincial and municipal governments regarding travel, business operations and isolation/quarantine orders. At this time, it is unknown the extent of the impact the COVID-19 outbreak may have on the commission as this will depend on future developments that are highly uncertain and that cannot be predicted with confidence. These uncertainties arise from the inability to predict the ultimate geographic spread of the disease, and the duration of the outbreak, including the duration of travel restrictions, business closures or disruptions, and quarantine/isolation measures that are currently, or may be put, in place by Canada and other countries to fight the virus.

# Kingston Area Tax Commission

## Budget Overview: FY2024 - FY24 P&L

January - December 2024

	JAN. 2024	FEB. 2024	MAR. 2024	APR. 2024	MAY 2024	JUN. 2024	JUL. 2024	AUG. 2024	SEP. 2024	OCT. 2024	NOV. 2024	DEC. 2024	TOTAL
<b>Income</b>													
4210 RSF Broker Licenses - Renewal	4,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$4,000.00
4300 RSF Driver Licenses - New	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	\$28,800.00
4306 Application Fees													\$0.00
4307 Application Fee	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	\$3,000.00
4308 Application Fee Credit	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	-250.00	\$ -3,000.00
<b>Total 4306 Application Fees</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>\$0.00</b>
4310 RSF Driver Licenses - Renew	2,880.00	3,600.00	3,600.00	4,800.00	2,520.00	2,880.00	6,840.00	4,800.00	4,200.00	2,760.00	2,520.00	3,600.00	\$45,000.00
4410 RSF Owner Licenses - Renewal	720.00	720.00	900.00	1,080.00	1,260.00	900.00	1,920.00	900.00	1,620.00	420.00	900.00	900.00	\$12,240.00
4411 RSF Taxi Plate - Renewal	1,080.00	2,280.00	2,280.00	2,960.00	2,280.00	1,080.00	4,240.00	2,280.00	2,280.00	2,040.00	2,280.00	2,280.00	\$27,360.00
4550 TNC Licensing	1,000.00	0.00	0.00	0.00	0.00	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00	\$11,000.00
4551 TNC Per Trip Fee	14,250.00	18,500.00	17,500.00	23,000.00	17,750.00	11,500.00	12,000.00	12,000.00	13,000.00	21,000.00	24,500.00	15,000.00	\$200,000.00
<b>Total 4550 TNC Licensing</b>	<b>15,250.00</b>	<b>18,500.00</b>	<b>17,500.00</b>	<b>23,000.00</b>	<b>17,750.00</b>	<b>21,500.00</b>	<b>12,000.00</b>	<b>12,000.00</b>	<b>13,000.00</b>	<b>21,000.00</b>	<b>24,500.00</b>	<b>15,000.00</b>	<b>\$211,000.00</b>
4560 RSF Vehicle Replacement	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	\$720.00
Vehicle Extensions	119.25	119.25	119.25	119.25	119.25	119.25	119.25	119.25	119.25	119.25	119.25	119.25	\$1,431.00
<b>Total 4560 RSF Vehicle Replacement</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>179.25</b>	<b>\$2,151.00</b>
4650 RSF Lease	310.00	310.00	310.00	310.00	310.00	310.00	310.00	310.00	310.00	310.00	310.00	310.00	\$3,720.00
Fines and Enforcement	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	\$2,400.00
<b>Total Income</b>	<b>\$27,019.25</b>	<b>\$28,189.25</b>	<b>\$27,369.25</b>	<b>\$34,929.25</b>	<b>\$26,899.25</b>	<b>\$29,449.25</b>	<b>\$28,089.25</b>	<b>\$23,069.25</b>	<b>\$24,189.25</b>	<b>\$29,309.25</b>	<b>\$33,289.25</b>	<b>\$24,869.25</b>	<b>\$336,671.00</b>
<b>GROSS PROFIT</b>	<b>\$27,019.25</b>	<b>\$28,189.25</b>	<b>\$27,369.25</b>	<b>\$34,929.25</b>	<b>\$26,899.25</b>	<b>\$29,449.25</b>	<b>\$28,089.25</b>	<b>\$23,069.25</b>	<b>\$24,189.25</b>	<b>\$29,309.25</b>	<b>\$33,289.25</b>	<b>\$24,869.25</b>	<b>\$336,671.00</b>
<b>Expenses</b>													
5100 RSF Bank charges	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	\$3,000.00
5105 RSF Moneris Fees	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	\$1,500.00
<b>Total 5100 RSF Bank charges</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>375.00</b>	<b>\$4,500.00</b>
5200 RSF Insurance	0.00	0.00	0.00	5,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$5,500.00
5340 Security and Alarm Monitoring	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	\$1,500.00
5345 Vehicle Inspections	625.00	625.00	625.00	625.00	625.00	625.00	625.00	625.00	625.00	625.00	625.00	625.00	\$7,500.00
5500 RSF Office Rent	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	2,350.00	\$28,200.00
5520 RSF Office Supplies	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	\$1,800.00
5525 Uniform	500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$500.00
5530 RSF Photocopying	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	\$1,800.00
5550 RSF Office Repair and maintenance	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	\$3,000.00
Office Janitorial Services	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	\$4,500.00
<b>Total 5550 RSF Office Repair and maintenance</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>625.00</b>	<b>\$7,500.00</b>
5560 RSF Postage	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	120.00	\$1,440.00
5565 Registered Mail	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	\$600.00
<b>Total 5560 RSF Postage</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>170.00</b>	<b>\$2,040.00</b>
5590 RSF Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	161.55	909.00	0.00	\$1,070.55
5650 RSF Accounting & Audit Fees	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00	0.00	0.00	0.00	0.00	0.00	\$5,000.00

# Kingston Area Tax Commission

## Budget Overview: FY2024 - FY24 P&L

January - December 2024

	JAN. 2024	FEB. 2024	MAR. 2024	APR. 2024	MAY 2024	JUN. 2024	JUL. 2024	AUG. 2024	SEP. 2024	OCT. 2024	NOV. 2024	DEC. 2024	TOTAL
5660 RSF Legal fees	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	\$1,800.00
5670 Human Resources	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	375.00	\$4,500.00
5820 RSF WSIB Expense	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	\$1,500.00
5900 RSF Telephone	165.00	165.00	165.00	165.00	165.00	165.00	165.00	165.00	165.00	165.00	165.00	165.00	\$1,980.00
5910 RSF Cellphone	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	\$360.00
5940 RSF Website	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	\$720.00
5950 RSF Office Equipment	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	150.00	\$1,800.00
5951 Professional fees	975.00	975.00	975.00	975.00	975.00	975.00	975.00	975.00	975.00	975.00	975.00	975.00	\$11,700.00
Network and Database	925.00	925.00	925.00	925.00	925.00	925.00	925.00	925.00	925.00	925.00	925.00	925.00	\$11,100.00
<b>Total 5950 RSF Office Equipment</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>2,050.00</b>	<b>\$24,600.00</b>
5955 RSF Utilities	550.00	550.00	400.00	250.00	250.00	250.00	250.00	250.00	250.00	350.00	400.00	500.00	\$4,250.00
Equipment rental	0.00	0.00	0.00	0.00	0.00	1,500.00	0.00	0.00	0.00	0.00	0.00	0.00	\$1,500.00
Health Benefits	325.00	325.00	325.00	325.00	325.00	325.00	325.00	325.00	325.00	325.00	325.00	325.00	\$3,900.00
Payroll Expenses													\$0.00
Taxes	685.00	685.00	685.00	685.00	685.00	685.00	685.00	685.00	685.00	685.00	685.00	685.00	\$8,220.00
Wages	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	6,200.00	\$74,400.00
<b>Total Payroll Expenses</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>6,885.00</b>	<b>\$82,620.00</b>
Printing and Production	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	\$3,000.00
Professional Fees	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	\$2,400.00
<b>Total Expenses</b>	<b>\$16,235.00</b>	<b>\$15,735.00</b>	<b>\$15,585.00</b>	<b>\$20,935.00</b>	<b>\$15,435.00</b>	<b>\$16,935.00</b>	<b>\$20,435.00</b>	<b>\$15,435.00</b>	<b>\$15,435.00</b>	<b>\$15,696.55</b>	<b>\$16,494.00</b>	<b>\$15,685.00</b>	<b>\$200,040.55</b>
<b>NET OPERATING INCOME</b>	<b>\$10,784.25</b>	<b>\$12,454.25</b>	<b>\$11,784.25</b>	<b>\$13,994.25</b>	<b>\$11,464.25</b>	<b>\$12,514.25</b>	<b>\$7,654.25</b>	<b>\$7,634.25</b>	<b>\$8,754.25</b>	<b>\$13,612.70</b>	<b>\$16,795.25</b>	<b>\$9,184.25</b>	<b>\$136,630.45</b>
Other Expenses													
9505 TNC Accessible Fund Holdings	8,550.00	11,100.00	10,500.00	13,800.00	10,650.00	6,900.00	7,200.00	7,200.00	7,800.00	12,600.00	14,700.00	9,000.00	\$120,000.00
<b>Total Other Expenses</b>	<b>\$8,550.00</b>	<b>\$11,100.00</b>	<b>\$10,500.00</b>	<b>\$13,800.00</b>	<b>\$10,650.00</b>	<b>\$6,900.00</b>	<b>\$7,200.00</b>	<b>\$7,200.00</b>	<b>\$7,800.00</b>	<b>\$12,600.00</b>	<b>\$14,700.00</b>	<b>\$9,000.00</b>	<b>\$120,000.00</b>
<b>NET OTHER INCOME</b>	<b>\$ -8,550.00</b>	<b>\$ -11,100.00</b>	<b>\$ -10,500.00</b>	<b>\$ -13,800.00</b>	<b>\$ -10,650.00</b>	<b>\$ -6,900.00</b>	<b>\$ -7,200.00</b>	<b>\$ -7,200.00</b>	<b>\$ -7,800.00</b>	<b>\$ -12,600.00</b>	<b>\$ -14,700.00</b>	<b>\$ -9,000.00</b>	<b>\$ -120,000.00</b>
<b>NET INCOME</b>	<b>\$2,234.25</b>	<b>\$1,354.25</b>	<b>\$1,284.25</b>	<b>\$194.25</b>	<b>\$814.25</b>	<b>\$5,614.25</b>	<b>\$454.25</b>	<b>\$434.25</b>	<b>\$954.25</b>	<b>\$1,012.70</b>	<b>\$2,095.25</b>	<b>\$184.25</b>	<b>\$16,630.45</b>

**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](mailto: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

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**Janet Jaynes**  
**City Clerk**

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**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-19<sup>th</sup> 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 19<sup>th</sup> 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.

-- 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-19<sup>th</sup> 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/Catarauqui 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-19<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> Concession and Joyceville Roads, the property contains a one-and-a-half storey, mid-19<sup>th</sup> 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](mailto: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  
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**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 4<sup>th</sup> 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](http://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](mailto: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.

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

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**Janet Jaynes**  
**City Clerk**

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**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, PI an13R20745 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 (Catarauqui 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 Catarauqui 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 Catarauqui 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.



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

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**Janet Jaynes**  
**City Clerk**

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**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 19<sup>th</sup> 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-19<sup>th</sup> 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 19<sup>th</sup> 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.

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

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**Janet Jaynes**  
**City Clerk**

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**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-19<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

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

Civic Address: 2432 4<sup>th</sup> 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 4<sup>th</sup> 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 20<sup>th</sup> and 21<sup>st</sup> 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-19<sup>th</sup> 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.

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

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



City of Kingston By-Law Number 2024-XX

**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 20<sup>th</sup> 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-19<sup>th</sup> 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.

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

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**Janet Jaynes**  
**City Clerk**

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**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 19<sup>th</sup> 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 19<sup>th</sup> and early 20<sup>th</sup> 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.

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

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



City of Kingston By-Law Number 2024-XX

**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-19<sup>th</sup> 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 19<sup>th</sup> 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

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**Janet Jaynes**  
**City Clerk**

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**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 19<sup>th</sup> 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

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**Janet Jaynes**  
**City Clerk**

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**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-19<sup>th</sup> 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.

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

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**Janet Jaynes**  
**City Clerk**

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**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.



**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 (0.88m<sup>2</sup>) 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

Page 2 of 10

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 0.88m<sup>2</sup>;
  - 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.



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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 (0.88m<sup>2</sup>) 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

January 24, 2024

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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 9.5ft<sup>2</sup> (0.88 m<sup>2</sup>) 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

January 24, 2024

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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

January 24, 2024

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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](mailto: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.

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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

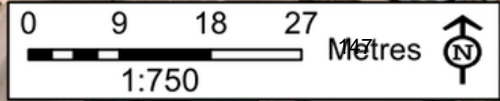
**Exhibits Attached:**

- 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



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 m<sup>2</sup>) 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 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:

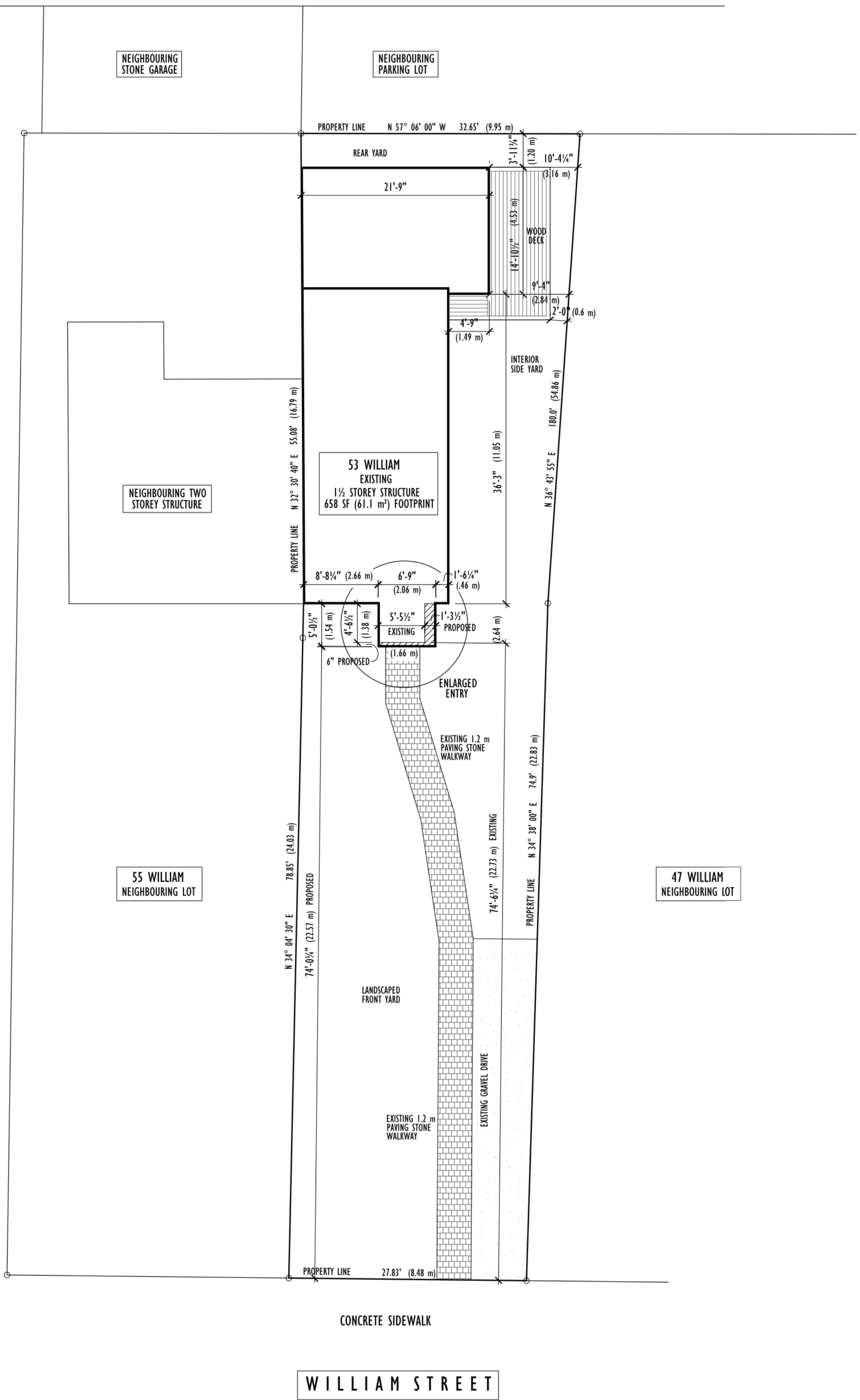
1. In what ways will the proposed alteration affect the overall character of the streetscape of Old Sydenham? We believe there to be very little streetscape impact given the great distance from street line and that the reconstruction of the vestibule is to be with like for like materials and proportion.
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

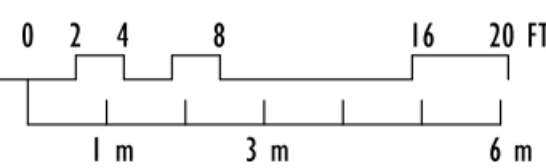




NOTE: INFORMATION ON THIS DRAWING IS EXTRAPOLATED FROM GRANGE W. ELLIOTT, LTD SURVEY MAY 1, 1996

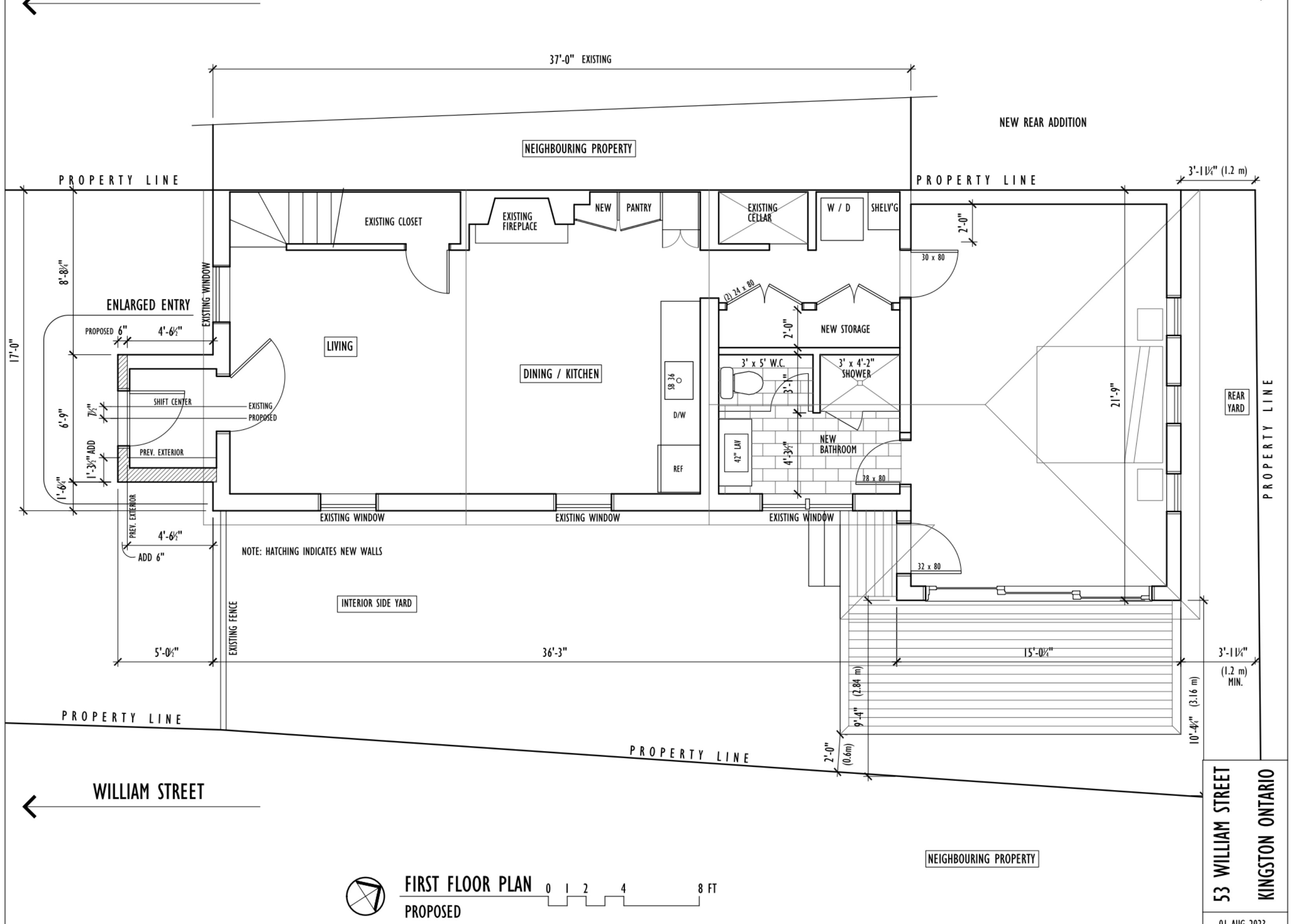
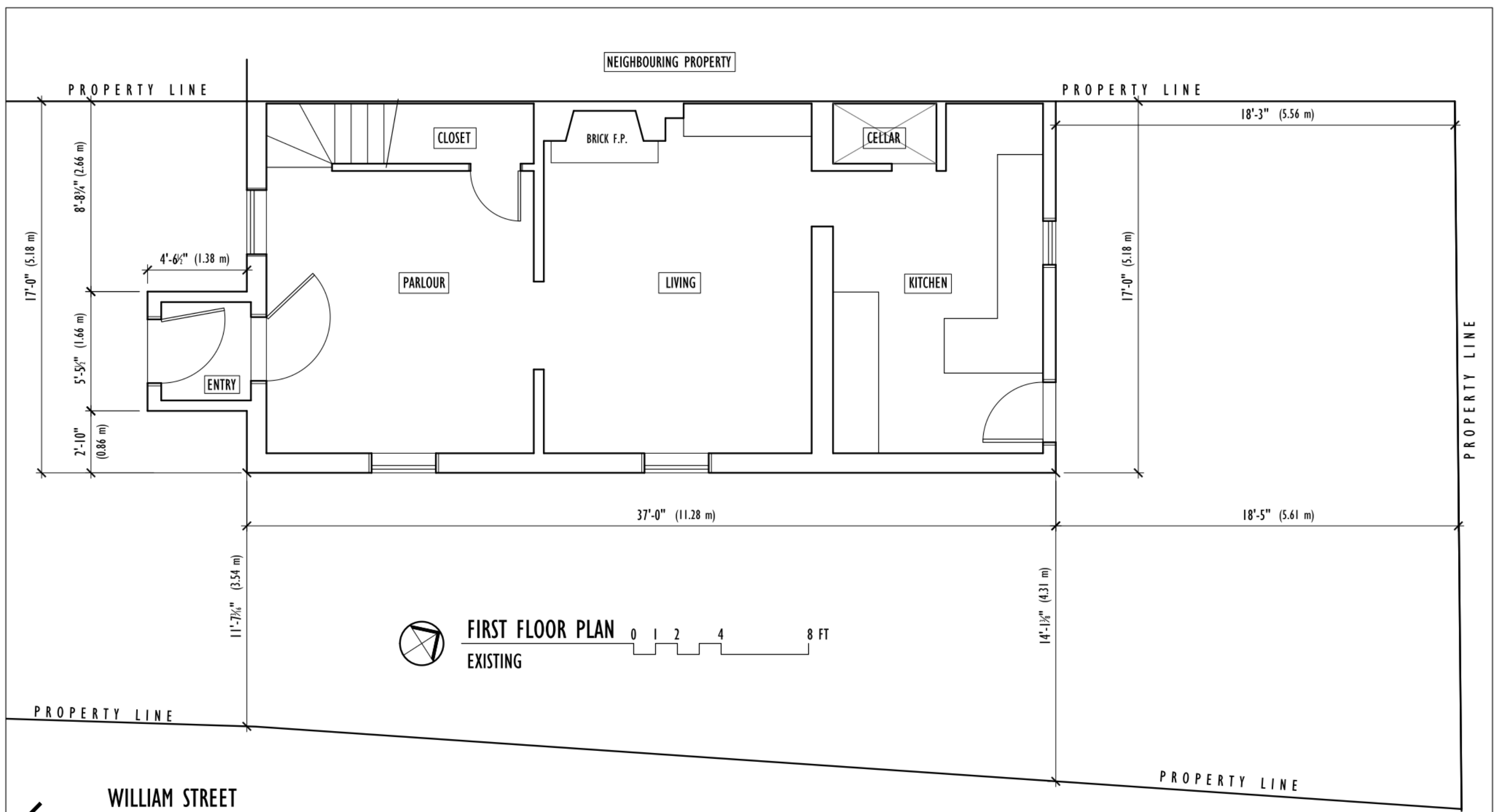


SITE PLAN



Council Meeting 06 February 6, 2024

**MARK PEABODY**  
CUSTOM BUILDER  
DESIGN BUILD RENOVATE



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

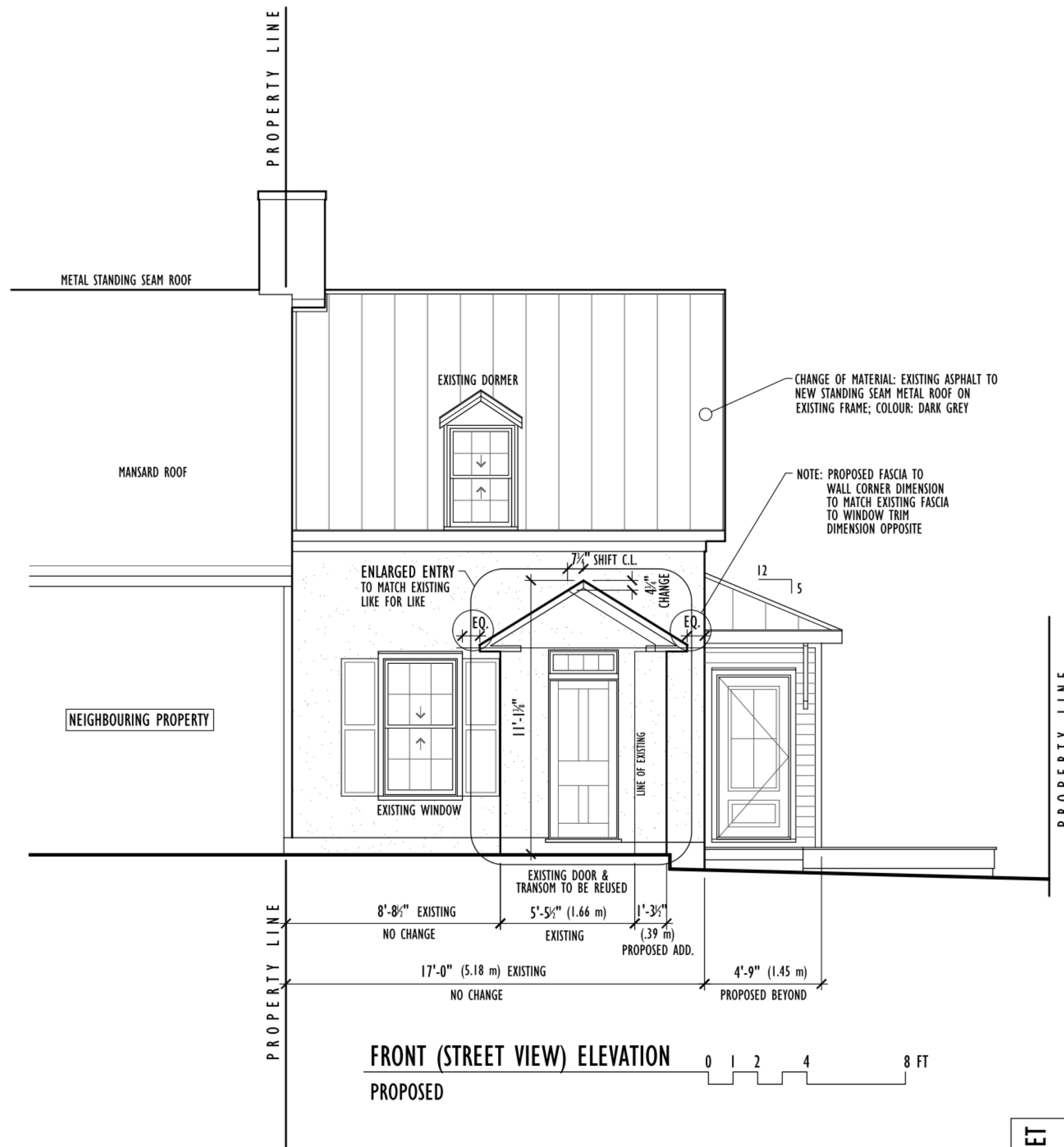
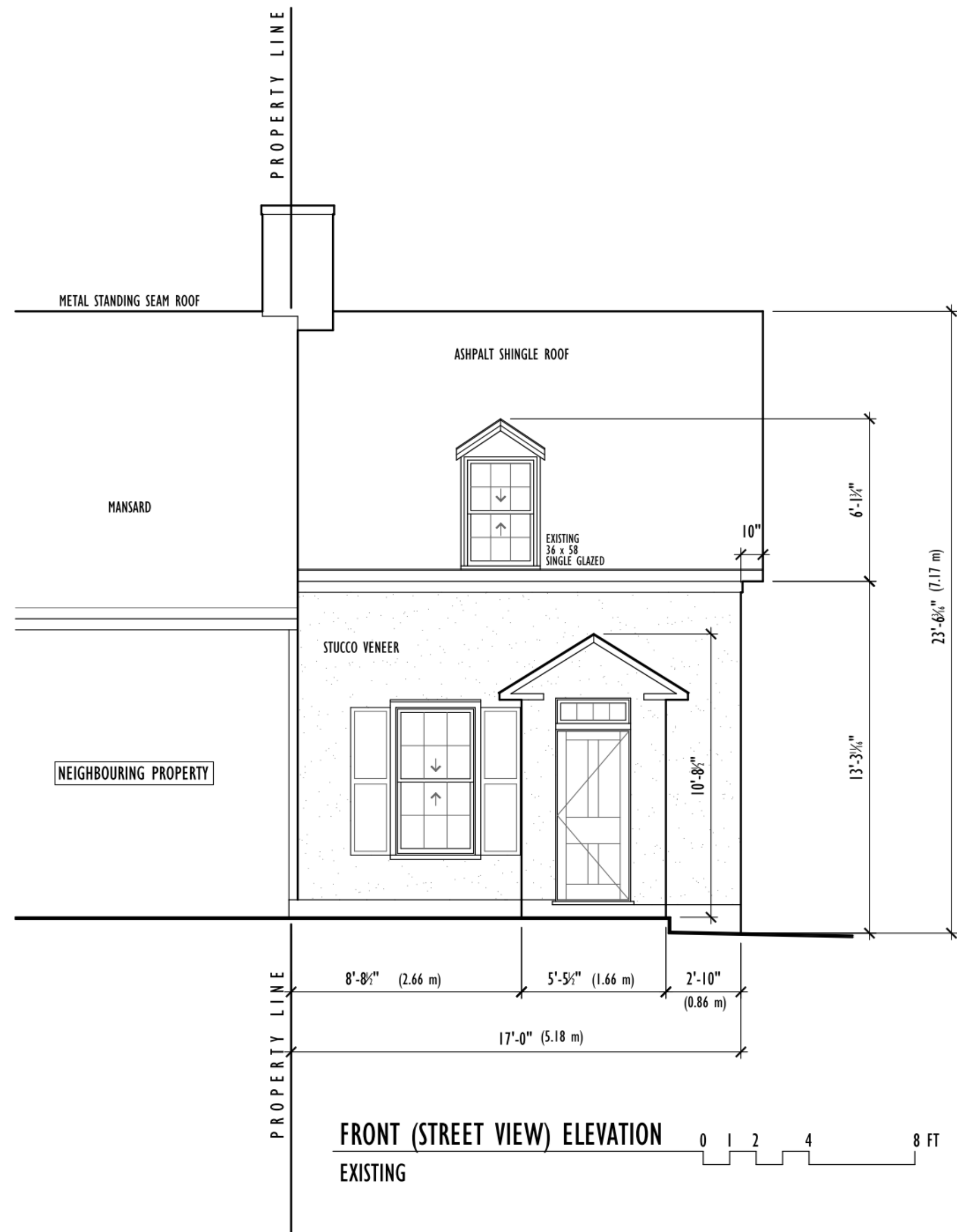
**MARK PEABODY**  
CUSTOM BUILDER  
DESIGN BUILD RENOVATE  
peabody@kingston.net  
613-561-7487

53 WILLIAM STREET  
KINGSTON ONTARIO

01 AUG 2023

FLOOR PLAN

**A-101**  
155



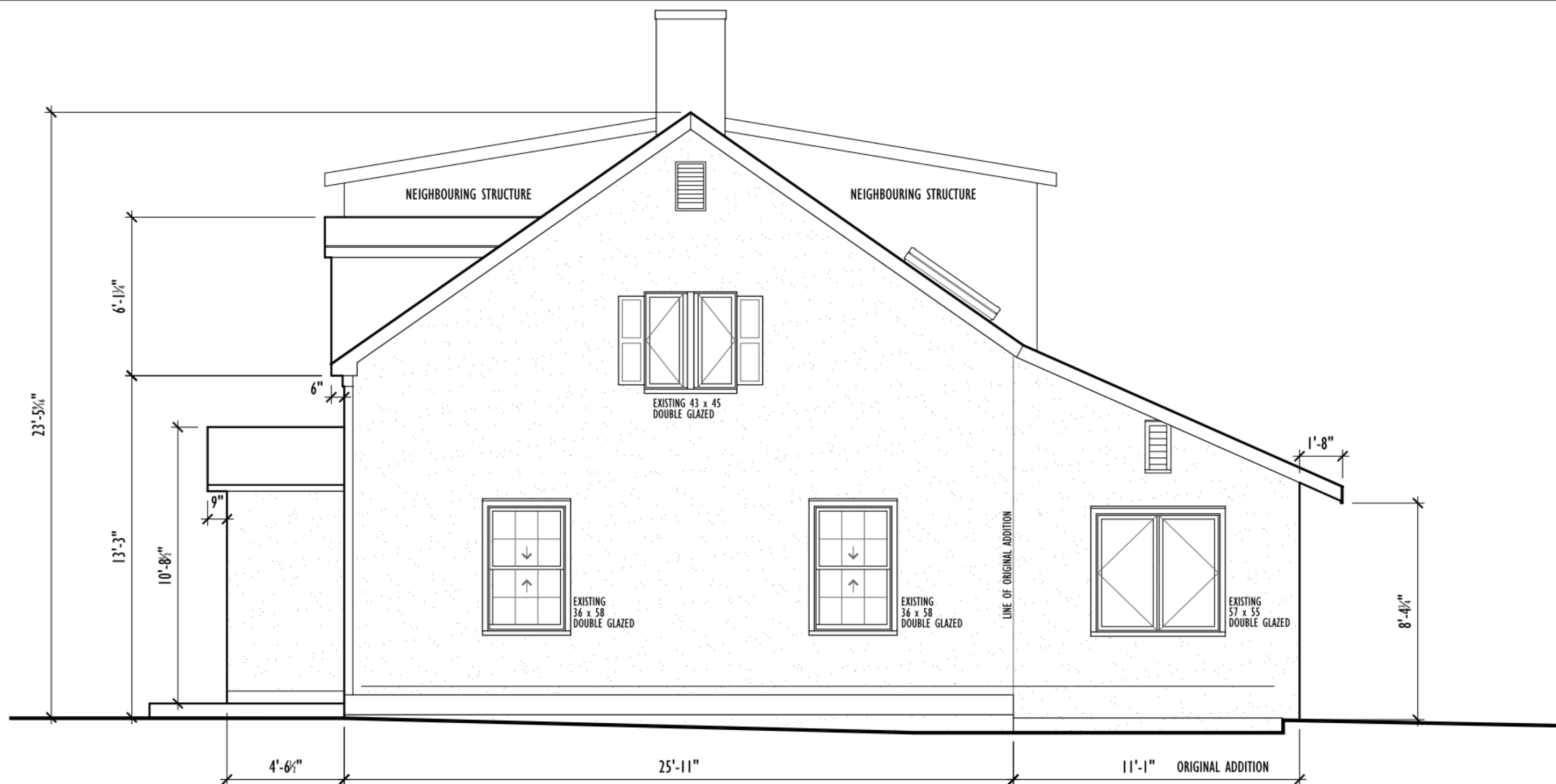
53 WILLIAM STREET  
KINGSTON ONTARIO

01 AUG 2023

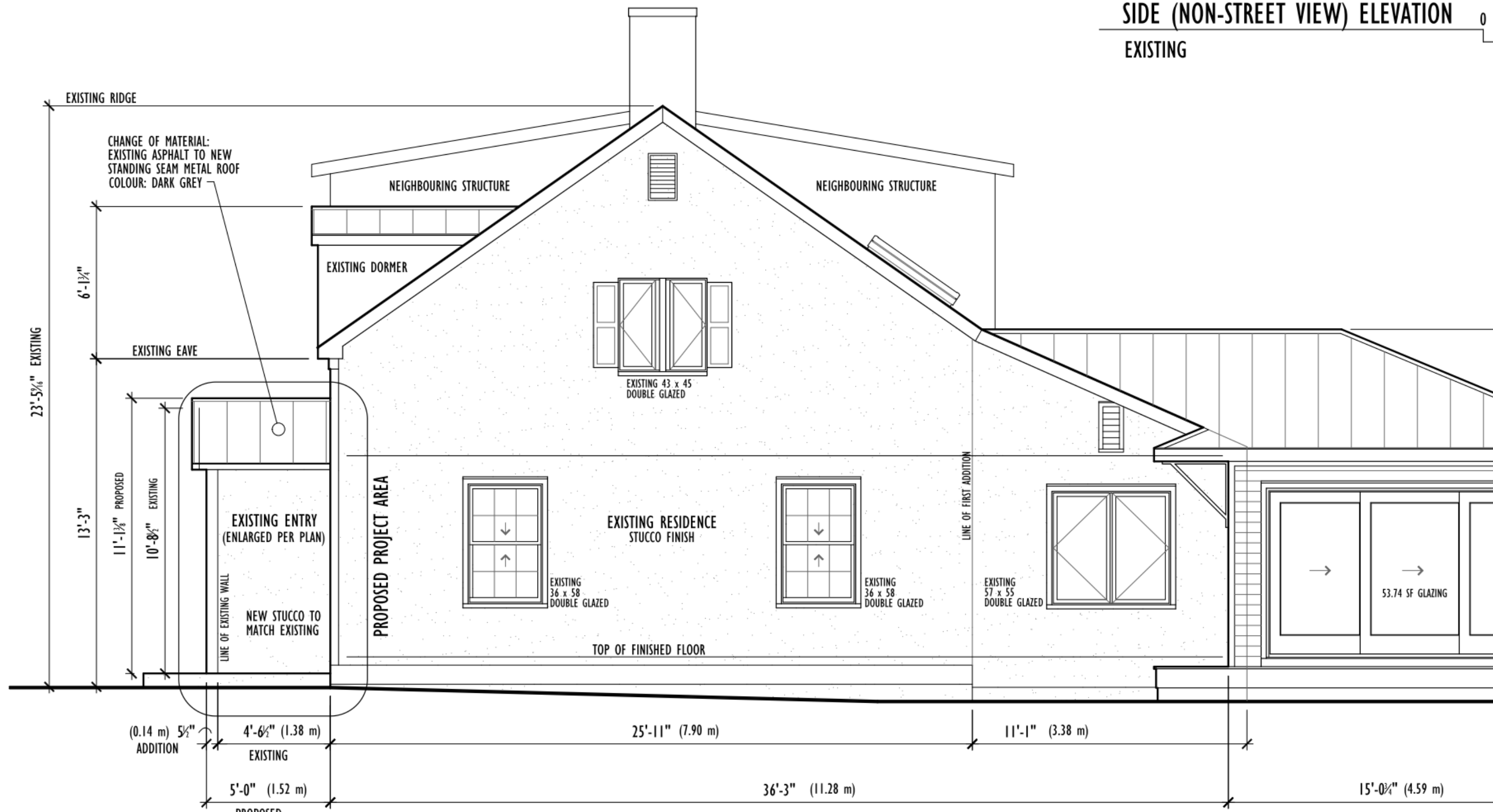
FRONT ELEVATION

A-102  
156

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

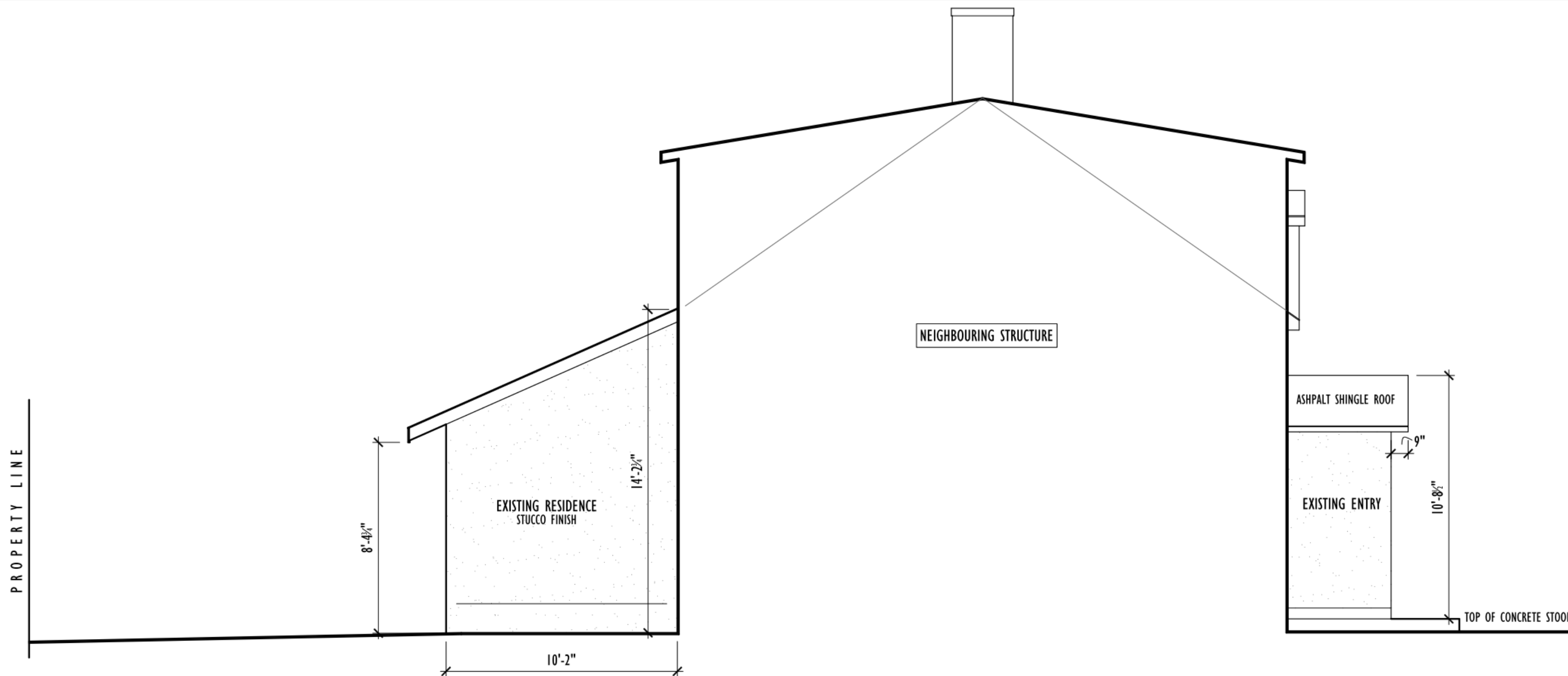


**SIDE (NON-STREET VIEW) ELEVATION**  
EXISTING



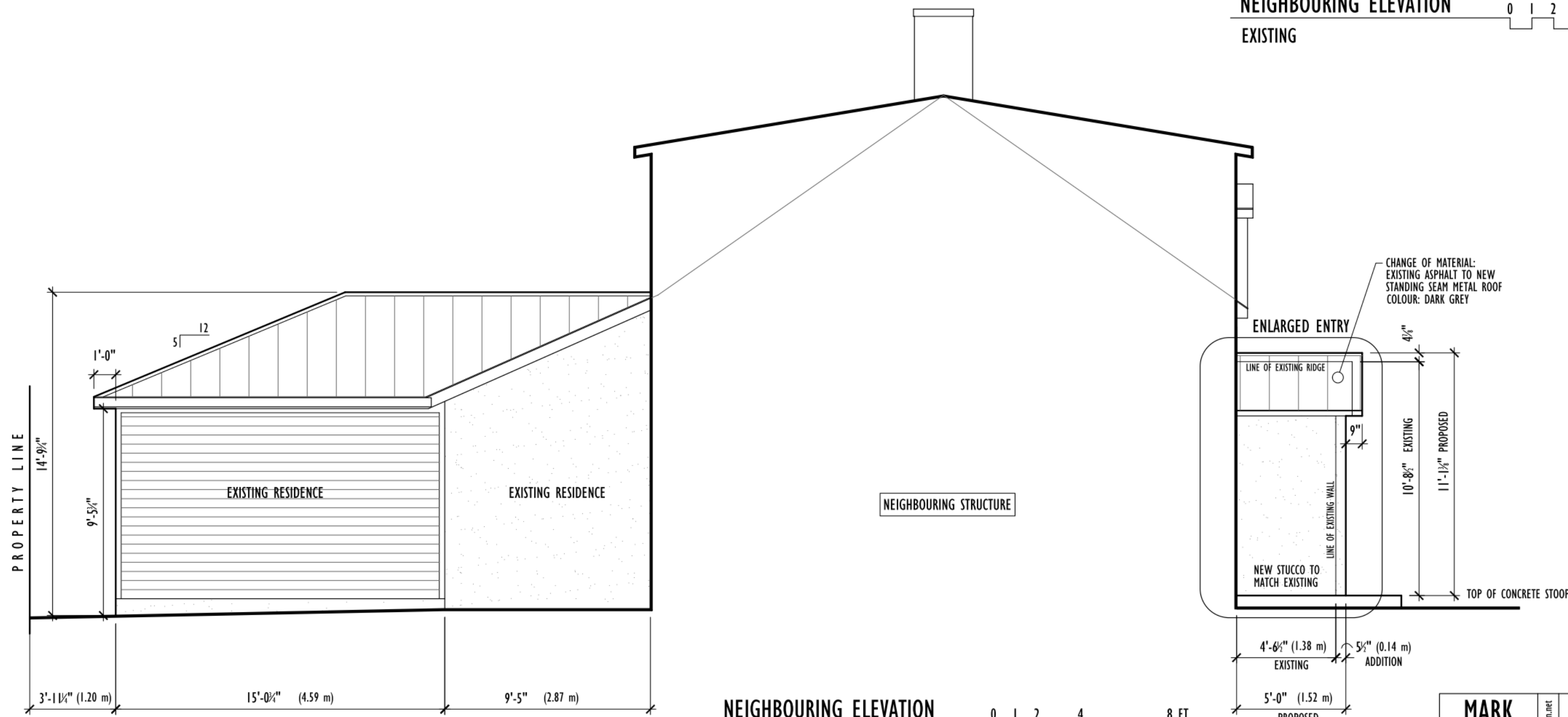
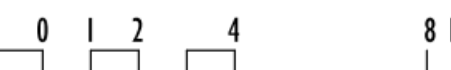
**SIDE (NON-STREET VIEW) ELEVATION**  
PROPOSED

06 February 6, 2024



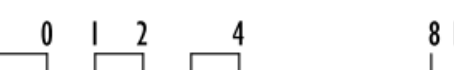
NEIGHBOURING ELEVATION

EXISTING



NEIGHBOURING ELEVATION

PROPOSED



53 WILLIAM STREET  
KINGSTON ONTARIO

01 AUG 2023

BLIND SIDE ELEVATION

A-104  
158

**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.

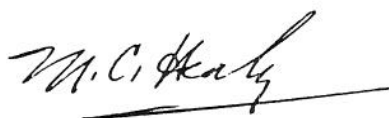
5. The City Solicitor is hereby authorized to cause a copy of this by-law and the reasons for designation to be registered against the properties described in Schedule "A" hereto in the Land Registry Office at Kingston, Ontario.

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.

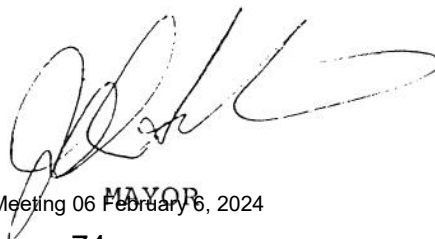
7. This by-law shall come into force and take effect on its passing.

GIVEN FIRST AND SECOND READINGS February 14, 1984

GIVEN THIRD READING AND FINALLY PASSED March 1, 1984



CITY CLERK



MAYOR  
Council Meeting 06 February 6, 2024

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* Council Meeting 06 February 6, 2024  
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](http://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:	<a href="#">P18-055-2023</a>
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](http://www.cityofkingston.ca)  
TTY: Dial 613-546-4889

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Date:	December 19, 2023
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Jane McFarlane
Application Type:	Heritage Permit
File Number:	<a href="#">P18-075-2023</a>
Property Address:	53 WILLIAM ST

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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 (0.88m<sup>2</sup>) 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.]

## <POLICY NUMBER> - ACCESSIBLE CONSULTATION PROCESS POLICY

<b>Policy #</b>	assigned by the communications officer (web developer).
<b>Effective Date</b>	February 6, 2024
<b>Status</b>	DRAFT.
<b>Final Approver</b>	Council

### 1.0 Interpretation

1.1 In this policy, unless the context requires otherwise:

"**AODA**" means the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11;

"**City**" means The Corporation of the City of Kingston;

"**City employee**" means a person who performs work or supplies services directly to the *City* for monetary compensation under an employment contract and includes *senior staff persons* and *by-law enforcement officers* but does not include *council members*;

"**CMT member**" means a member of the *City's* corporate management team and includes the person appointed chief administrative officer by the *City*, the person appointed treasurer by the *City*, and a commissioner responsible for the leadership and operation of a portfolio of *City* departments;

"**Committee Clerk**" means the person appointed as committee clerk to the *MAAC* by the *City*;

"**Council Procedural By-Law**" means *City of Kingston By-Law Number 2021-41, A By-Law to Provide Rules for Governing the Order and Procedures of the Council of The Corporation of the City of Kingston, and to Repeal By-Law Number 2010, Council Procedural By-Law, as Amended, in its Entirety*;

"**Deputy City Clerk**" means the person appointed as deputy city clerk by the *City*;

"**director**" means the director of a *City* department;

"**disability**" has the meaning given to it in the *AODA*;

"**FADS**" means facility accessibility design standards which establish *City*-wide standards that build a universally designed and accessible community for residents, visitors and *City employees*;

"**MAAC**" means the Municipal Accessibility Advisory Committee, the *City's* accessibility advisory committee established in accordance with subsection 29 (1) of the *AODA*;

"**MAAC project team**" means one or more members of *MAAC*, appointed by *MAAC*, to be responsible for consultation on behalf of *MAAC* with respect to a particular matter in accordance with clause 4.2 (b);

"**manager**" means a *City employee* who reports directly to a *director*;

"**meeting**" has the meaning given to it in the *Council Procedural By-Law*;

"**park**" means land designated by the *City* for use as a park;

"**recreational program**" means a program for the provision of facilities for recreation or for the supervision, encouragement and guidance of recreational activity;

"**special event**" means a public event that is held by the *City* at a *City*-owned facility, building, structure or premises for the primary purpose of supporting a community, culture, arts, heritage, recreation or sport experience; and

"**supervisor**" means a *City employee* who reports directly to a *manager*.

1.2 In this policy,:

- (a) "include", "includes" and "including" indicate that the subsequent list is not exhaustive;
- (b) to "consult" includes to seek advice from; and
- (c) a reference to a department includes, in the event of organizational changes, the successor department or division responsible for the performance of the department's obligations under this policy.

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:

- (a) recognize the history of discrimination against persons with disabilities in Ontario;
- (b) assist the *City* to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodations, employment, buildings, structures and premises as required by the *AODA*;
- (c) make a statement of organizational commitment to meet the accessibility needs of *persons* with disabilities in timely manner; and
- (d) assist the *City* to implement the measures, policies, practices or other requirements of the *AODA*, including the requirement to consult with *MAAC*, the public and persons with disabilities in certain circumstances; and
- (e) recognize that achieving the purposes set out in clauses (a), (b), (c) and (d), and working to the highest level of inclusion is to the benefit of all members of the community.

## **3.0 Statutorily Required Consultation**

3.1 The *City* must, in accordance with the *AODA*, consult with *MAAC*:

- (a) on a building, structure or premises, or part of a building, structure or premises,
  - (i) that the *City* purchases, constructs or significantly renovates;
  - (ii) for which the *City* enters into a new lease; or
  - (iii) that a *person* provides as municipal capital facilities under an agreement entered into with the *City* in accordance with section 110 of the *Municipal Act, 2001*;

3.2 The *City* must, in accordance with the *AODA*, consult with *MAAC*, the public and persons with disabilities:

- (a) in the development of accessible design criteria to be considered in the construction, renovation or replacement of bus stops and shelters;
- (b) to determine the proportion of on-demand accessible taxicabs required in the community;

- (c) on the following before the *City* constructs new or redevelops existing recreational trails:
  - (i) the slope of the trail;
  - (ii) the need for, and location of, ramps on the trail;
  - (iii) the need for, location and design of rest areas, passing areas, viewing areas, amenities on the trail, and any other pertinent feature;
- (d) on the needs of children and caregivers with various disabilities when constructing new or redeveloping existing outdoor play spaces;
- (e) on the design and placement of rest areas along an exterior path of travel when constructing new or redeveloping existing exterior paths of travel that the *City* intends to maintain; and
- (f) on the need, location and design of accessible on-street parking spaces when constructing or redeveloping existing on-street parking spaces;

3.3 The *City* must, in accordance with the *AODA*, consult with *persons* with disabilities and with *MAAC* when establishing, reviewing or updating its accessibility plan.

3.4 The *City* must, in accordance with the *AODA*, consult with *MAAC* on:

- (a) the requirements and implementation of accessibility standards; and
- (b) the preparation of accessibility reports.

3.5 When sections 3.1, 3.3 or 3.4 of this policy require the *City* to consult with *MAAC*, the *City* must do so at a *meeting* of *MAAC* in accordance with the *Council Procedural By-Law*.

3.6 When this policy requires consultation with the public and persons with disabilities, the *City* must do so in accordance with the [City of Kingston Public Engagement Framework](#) and its six key principles, those being:

- (a) inclusivity;
- (b) early involvement and timely communication;
- (c) respect;
- (d) transparent and accountable;
- (e) clear and coordinated approach; and

(f) continuous improvement.

3.7 The *City* must supply site plans and drawings described in section 41 of the *Planning Act* that *MAAC* selects to *MAAC* in a timely manner for the purpose of review.

#### **4.0 Additional Required Consultation**

4.1 The *City* must consult with *MAAC* on the accessibility for persons with disabilities:

- (a) when constructing new or significantly redeveloping existing buildings, structures or premises, or parts of buildings, structures or premises;
- (b) when constructing new or redeveloping existing recreational trails;
- (c) when constructing new or redeveloping existing outdoor play spaces;
- (d) when constructing new or redeveloping existing exterior paths of travel that the *City* intends to maintain;
- (e) when constructing new or redeveloping existing *park* spaces;
- (f) when providing new or redeveloping existing *recreational programs*;
- (g) when providing new or redeveloping existing *special events*; and
- (h) on any other matter council considers it necessary or desirable to seek advice from *MAAC*.

4.2 When section 4.1 requires consultation with *MAAC*, the *City* may do so in one or more of the following manners:

- (a) at a *meeting* of *MAAC* in accordance with the *Council Procedural By-Law*; and/or
- (b) by consulting with a *MAAC project team* in accordance with the procedures set out in section 4.3.

4.3 The procedure for consulting with a *MAAC project team* is:

- (a) a *city employee* responsible for the particular matter must prepare and submit a "MAAC Project Team Request Form - Director Approval" in the form attached as *Appendix D* to this policy to the *Committee Clerk*;
- (b) the *Committee Clerk* must place the submitted "MAAC Project Team Request Form - Director Approval" on the agenda for the next *meeting* of *MAAC* in accordance with the *Council Procedural By-Law* and, at that



*meeting, MAAC must appoint one or more members of MAAC to be a MAAC project team, except where it is not practicable to do so;*

- (c) if the *Committee Clerk* determines that it is not practicable to do so, the *Committee Clerk* may distribute the submitted "MAAC Project Team Request Form - Director Approval" to the members of MAAC by email, and:
  - (i) MAAC may appoint one or more members of MAAC to be a MAAC project team with respect to the particular matter described in the submitted form;
  - (ii) the *Committee Clerk* must place the submitted form and the appointment of one or more members of MAAC on the agenda for the next *meeting* of MAAC in accordance with the *Council Procedural By-Law*; and
  - (iii) MAAC may confirm the appointment of one or more members to the MAAC project team or may revoke the appointment of one or more members and appoint one or more other members to the MAAC project team;
- (d) when MAAC appoints one or more members to a MAAC project team, the *Committee Clerk* must provide contact information for each member of the MAAC project team to the city employee who submitted the "MAAC Project Team Request Form - Director Approval";
- (e) when the city employee receives contact information for the MAAC project team from the *Committee Clerk*, the city employee must, as soon as practicable, submit to the MAAC project team:
  - (i) the planned schedule for the matter; and
  - (ii) the planned frequency, location and format of consultation with the MAAC project team;
- (f) when required, based on the nature of the consultation, the city employee must:
  - (i) prepare and maintain a "FADS Design Checklist" in the form attached as *Appendix A* to this policy in order to document the compliance or noncompliance of the construction or redevelopment with the City's FADS;
  - (ii) submit to the MAAC project team a concept introduction of the matter;

- (iii) consult with the *MAAC project team* at the design phase of the matter;
- (iv) consult with the *MAAC project team* at the mid-construction or mid-redevelopment phase of the matter; and
- (v) consult with the *MAAC project team* at the final construction review or redevelopment review phase of the matter;

except where it is not practicable to do so;

- (vi) if the *city employee* determines that it is not practicable to do so, the *city employee* must provide, upon request by a member of *MAAC project team*, an explanation;
- (vii) if, at any phase of the matter, the *city employee* believes that any part of the construction or redevelopment does not comply with any standard in the *FADS*, the *city employee* must give notice to the members of the *MAAC project team*, except where the noncompliance was described in an "Alternate Design from FADS Proposal Form" previously submitted to the *MAAC project team*;
- (viii) if the *city employee* gives notice pursuant to subclause (vii), a member of the *MAAC project team* may inspect the noncomplying part of the construction or redevelopment and may give the *city employee* advice with respect to that noncomplying part; and
- (ix) when the construction or redevelopment is complete, the *city employee* must prepare and submit to the *Committee Clerk* a "MAAC Project Team Completion Form" in the form attached as *Appendix E* to this policy.

## **5.0 Accessibility Policies**

5.1 The *City* must develop, implement and maintain policies governing how the *City* achieves or will achieve accessibility through meeting its requirements referred to in the *AODA*.

5.2 The *City* must include a statement of organizational commitment to meet the accessibility needs of persons with disabilities in a timely manner in such policies.

5.3 The *City* must:

- (a) prepare one or more documents describing the policies it develops under section 5.1; and

- (b) make the documents publicly available and, on request, provide them in an accessible format.

## **6.0 Accessibility Plan**

6.1 The *City* must:

- (a) establish, implement, maintain and document a multi-year accessibility plan which outlines the *City's* strategy to prevent and remove barriers and meet its requirements under the *AODA*;
- (b) post the accessibility plan on its website and provide the plan in an accessible format upon request;
- (c) review and update the accessibility plan at least once every five years;
- (d) prepare an annual status report on the progress of measures taken to implement the strategy referenced in clause 6.1 (a), including steps taken to comply with the *AODA*; and
- (e) post the status report on its website and provide the report in an accessible format upon request.

## **7.0 Procurement**

7.1 The *director* of the Financial Services Department must incorporate accessibility design, criteria and features, including the *City's FADS*, when procuring or acquiring goods, services or facilities for the *City*, except where it is not practicable to do so.

7.2 If the *director* of the Financial Services Department determines that it is not practicable to incorporate accessibility design, criteria and features when procuring or acquiring a good, service or facility, the *director* must provide, upon request by *MAAC* or any other *person*, an explanation.

## **8.0 Purchase, Construction & Significant Renovation of Buildings, Structures & Premises**

8.1 Subject to the exemptions and limitations that are specifically set out in the *City's FADS*, the *director* of the Facilities Management & Construction Services Department must incorporate accessibility design, criteria and features, including the *City's FADS*, for a building, structure or premises, or part of a building, structure or premises,:

- (a) that the *City* purchases, constructs or significantly renovates;

- (b) for which the *City* enters into a new lease; or
- (c) that a *person* provides as municipal capital facilities under an agreement entered into with the *City* in accordance with section 110 of the *Municipal Act, 2001*;

except where it is not practicable to do so.

8.2 If the *director* of the Facilities Management & Construction Services Department determines that it is not practicable to incorporate accessibility design, criteria and features, including the *City's FADS*, for a building, structure or premises, or part of a building, structure or premises, the *director* must:

- (a) prepare and submit to a *MAAC project team*, a "Technical Impracticability Explanation Form" in the form attached as *Appendix B* to this policy; and
- (b) prepare, in consultation with a *MAAC project team* and submit to the *MAAC project team* an "Alternate Design from FADS Proposal Form" in the form attached as *Appendix C* to this policy.

## **9.0 Recreational Programming & Special Events**

9.1 The *director* of the Recreation & Leisure Services Department must:

- (a) provide *recreational programs* in accordance with the *AODA*; and
- (b) hold *special events* in accordance with the *AODA*, and the Accessibility Directorate of Ontario's "Guide to Accessible Festivals and Outdoor Events", and the *City's "Corporate Accessibility Standards Policy"*; and
- (c) prepare and submit a report to *MAAC* once every calendar year with respect to *special events* planned for the year, accessibility considerations included in the conduct of *special events* or *recreational programs* in the previous year, and any training regarding service provision for persons with disabilities that has been provided or will be provided to *city employees*.

## **10.0 Building, Structure & Premises Reporting**

10.1 The *director* of the Facilities Management & Construction Services Department must prepare and submit a report to *MAAC* once every calendar year with respect to the accessibility of buildings, structures and premises, or parts of buildings, structures and premises, that the *City*:

- (a) plans to purchase, construct or significantly renovate in the following year;
- (b) purchased, constructed or significantly renovated in the preceding year;

- (c) plans to enter into a new lease in the following year;
- (d) entered into a new lease in the preceding year;
- (e) plans to have a *person* provide as a municipal capital facility under an agreement entered into with the *City* in accordance with section 110 of the *Municipal Act, 2001*; and
- (f) had a *person* provide as a municipal capital facility under an agreement entered into with the *City* in accordance with section 110 of the *Municipal Act, 2001*.

10.2 The report required to be prepared and submitted by section 10.1 must include:

- (a) accessibility design, criteria and features, including the *City's FADS*, planned to be incorporated for buildings, structures or premises, or parts of a building, structure or premises, during the following year; and
- (b) any requests for advice from *MAAC* with respect to changes in the accessibility design, criteria and features, including the *City's FADS*, planned to be incorporated for buildings, structures or premises, or parts of a building, structure or premises, during the following year.

## **11.0 Bus Stops & Shelters Reporting**

11.1 The *director* of Transportation and Transit must prepare and submit a report to *MAAC* once every calendar year with respect to:

- (a) accessible design criteria to be considered in the construction, renovation or replacement of bus stops and shelters planned for the following calendar year; and
- (b) the accessibility of bus stops and shelters constructed, renovated or replaced in the preceding calendar year.

## **12.0 Accessible Taxicabs Reporting**

12.1 The Chair of the Kingston Area Taxi Commission must prepare and submit a report to *MAAC* once every calendar year with respect to:

- (a) the proportion of on-demand accessible taxicabs required in the community in the following calendar year; and
- (b) the use of on-demand accessible taxicabs in the preceding calendar year.

### **13.0 Recreational Trails & Park Spaces Reporting**

- 13.1 The *director* of the Engineering Services or the *director's* delegate must prepare and submit a report to *MAAC* once every calendar year with respect to:
- (a) how accessibility is addressed in newly constructed or redeveloped existing recreational trails planned for the following year; and
  - (b) how accessibility design, criteria and features will be incorporated in newly constructed or redeveloped existing outdoor play spaces and recreational trails planned for the following year;

### **14.0 Exterior Paths of Travel Reporting**

- 14.1 The *director* of the Engineering Services Department or the *director's* delegate must prepare and submit a report to *MAAC* once every calendar year with respect to the accessibility of the design and placement of rest areas along an exterior path of travel of:
- (a) newly constructed or redeveloped existing exterior paths of travel that the *City* intends to maintain planned for the following year;
  - (b) new exterior paths of travel that the *City* intends to maintain constructed in the preceding year; and
  - (c) existing exterior paths of travel that the *City* intends to maintain redeveloped in the preceding year.

### **15.0 Information & Communication**

- 15.1 All information and communication required or permitted under this policy must be in accordance with the *City's Accessible Information and Communication Procedure*.

### **16.0 Administration**

- 16.1 *CMT members* must take reasonable steps within their authority to:
- (a) direct compliance with this policy.
- 16.2 *Directors* must take reasonable steps within their authority to:
- (a) direct compliance with this policy.
- 16.3 *Managers* must take reasonable steps within their authority to:
- (a) direct compliance with this policy.

16.4 *Supervisors* must take reasonable steps within their authority to:

- (a) direct compliance with this policy.

16.5 The Deputy City Clerk is responsible for:

- (a) resolving any issues or conflicts relating to this policy;
- (b) approving any terms or conditions negotiated outside of this policy;
- (c) providing support to project managers and staff responsible for projects subject to this policy; and
- (d) updating the policy to ensure consistency with provincial legislation or other City of Kingston policies or procedures.

16.6 A *City employee* who breaches this policy may be subject to discipline up to and including dismissal.

## 17.0 Application

17.1 This policy applies to all *City employees*.

## 18.0 Approval Authority

Role	Position	Date Approved
Quality Review	City Clerk	November 22, 2023
Subject Matter Expert	Deputy City Clerk	October 24, 2023
Legal Review	Senior Legal Counsel	November 15, 2023
Management Review	Director of Recreation & Leisure Services Director of Facilities Management & Construction Services Director of Engineering Services Director of Transportation & Transit Services	November 16, 2023

	Director of Financial Services	
Final Approval	Council	

**19.0 Revision History**

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

**20.0 Appendix**

- 20.1 Appendix A - FADS Design Checklist
- 20.2 Appendix B - Technical Impracticability Explanation Form
- 20.3 Appendix C - Alternate Design from FADS Proposal Form
- 20.4 Appendix D - MAAC Project Team Request Form - Director Approval
- 20.5 Appendix E - MAAC Project Team Completion Form - Director Approval.



## Municipal Accessibility Advisory Committee (MAAC) Work Plan 2024

### January 2024

- Accessible Consultation Process Policy Office of the City Clerk
- Committee Orientation Report Office of the City Clerk
- 2024 MAAC Work Plan Office of the City Clerk

### March 2024

- Accessibility Office Report – Q4 2022 Office of the City Clerk
- Equity, Diversity & Inclusion Office Update
- Multi-Year Accessibility Plan – 2023 Update Office of the City Clerk

### May 2024

- Accessibility Office Report – Q1 2024 Office of the City Clerk
- Recreation & Leisure Services / Special Events Update

### May 26 - June 1, 2024

- National AccessAbility Week Campaign Office of the City Clerk

**June 2024**

- Facilities Management and Construction Services Update
- Accessible Taxi Consultation

Kingston Area Taxi Commission

**September 2024**

- Accessible Standards Policy
- Accessibility Office Report – Q2 2024

Office of the City Clerk

Office of the City Clerk

**October 2024**

- Disabilities Mentoring Day

Office of the City Clerk

**November 2024**

- Engineering Services Update
- Transit & Transportation Services Update
- Accessibility Office Report – Q3 2024
- Age-Friendly City Update

Office of the City Clerk

Community Development & Wellbeing

**December 2024**

- Celebrating Accessibility Awards

Office of the City Clerk



**City of Kingston  
Information Report to Council  
Report Number 24-066**

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**To:** Mayor and Members of Council  
**From:** Paige Agnew, Commissioner, Growth & Development Services  
**Resource Staff:** Brandon Forrest, Director, Business, Real Estate & Environment  
**Date of Meeting:** February 6, 2024  
**Subject:** Report on Real Estate Transactions Completed from July 1, 2023 to December 31, 2023 Under By-Law Number 2016-189

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**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

This information report provides Council with a list of real estate transactions completed under delegated authority from July 1 – December 31, 2023.

In August 2014, Council approved By-Law Number 2014-141 to delegate authority for the approval of low value and short-term real estate transactions to the Commissioner having responsibility for real estate services. This by-law was subsequently included in By-Law Number 2016-189 'A By-Law to Consolidate the Delegation of Powers and Duties'.

**Recommendation:**

This report is for information only.

February 6, 2024

Page 2 of 3

**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

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

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

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**Lanie Hurdle, Chief  
Administrative Officer**

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

Jennifer Campbell, Commissioner, Community 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

February 6, 2024

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**Options/Discussion:**

In 2014, Council approved By-Law Number 2014-141 to delegate authority for approval of low value real estate transactions and short-term low value leasing and licencing agreements to the Commissioner having responsibility for real estate services. To further improve efficiencies in corporate accountability and transparency, Council approved By-Law Number 2016-189 'A By-Law to Consolidate the Delegation of Powers and Duties' which included approval for real estate transactions previously delegated under By-Law Number 2014-141.

The by-law requires the Commissioner with authority for real estate transactions to report to Council no less than twice per year on the exercise of the delegation of authority.

Exhibit A lists the 15 land transactions completed from July 1 – December 31, 2023, by delegated authority. Transactions summarized by category include:

- Revenue Leases and Licenses (City as Landlord) - 8
- Acquisition Leases and Licenses (City as Tenant) - 1
- Acquisition of Property Interests – 3
- Disposition of Property Interests- 3

**Existing Policy/By-Law**

By-Law Number 2016-189 'A By-Law to Consolidate the Delegation of Powers and Duties'

**Notice Provisions**

None

**Financial Considerations**

None

**Contacts:**

Steve Biro, Property Specialist, Real Estate 613-546-4291 extension 3169

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

Exhibit A Real Estate Transactions Completed Under Delegated Authority By-Law Number 2016-189 for the Period July 1 – December 31, 2023

**Real Estate Transactions Completed Under Delegated Authority By-Law Number 2016-189**

**July 1, 2023 to December 31, 2023**

<b>Type of Real Estate Transaction</b>	<b>Property Affected</b>	<b>Individual/Organization</b>	<b>Amount</b>	<b>Reason for the Agreement</b>
Acquisition of property less than \$100,000	1472 McAdoo's Lane	2747322 Ontario Ltd.	\$1.00	Transfer of road widening outside of development agreement with 2747322 Ontario Ltd.
Acquisition of property easement less than \$100,000	10 Hyperion Court	Hydro One	\$1.00	Grant of easement and release of easements over City property- Nominal value-easement swap
Acquisition of property easement less than \$100,000	KECC/ LSS	Limestone District School Board	\$1.00	Grant of easement to the City over school boards property
Disposition of Easement Agreement less than \$100,000	10 Hyperion Court	Hydro One	\$1.00	Grant of easement and release of easements over City property- Nominal value-easement swap
Disposition of Easement Agreement less than \$100,000	Block E- Rosedale estates	Residential owner	\$1	Grant of easement to owner to gain access to owners' property
Disposition of Easement Agreement less than \$100,000	162 Rideau Street	Residential owner	\$1	Grant of easement to owner to gain access to owners' property
Acquisition of lease or license less than \$150,000 and 10 years	Anglin Bay parking lot	Transport Canada	\$7,404.57/year	lease of space from Transport Canada for parking in the Anglin Bay parking lot
Revenue lease less than \$150,000 and 10 years	Portsmouth Olympic Harbour	Neptune & Salacia Diving Inc.	\$39,651.48/ Year	use of space for diving operations at Portsmouth Olympic Harbour

<b>Type of Real Estate Transaction</b>	<b>Property Affected</b>	<b>Individual/Organization</b>	<b>Amount</b>	<b>Reason for the Agreement</b>
Revenue license less than \$150,000 and 10 years	Invista Center dressing room and office space	RELM Sports	\$850.00/month	Short term License of dressing room and office space at the Invista Center
Revenue license less than \$150,000 and 10 years	Parking 27 Place D'Armes	2314033 Ontario Ltd.	\$1181.47/month	13 spots in the right of way utilized for parking spots for building tenants at 27 Place D'Armes
Revenue license less than \$150,000 and 10 years	Parking Ontario Street	Jay Patry Enterprises Inc.	\$764.51/month	Parking spots in laneway right of way for building tenants at 265 Ontario Street
Revenue license less than \$150,000 and 10 years	Invista Center dressing room and office space	GKGHA	\$1000.00/month	License of dressing room A and office space at the Invista Center
Revenue license less than \$150,000 and 10 years	Invista Center dressing room and office space	GKGHA	\$750.00/month	License of dressing room B and office space at the Invista Center
Revenue license less than \$150,000 and 10 years	Hangar 4 Airport	Cygnnet Aviation Academy LP	\$50,000.00/year	License of Hangar 4 at the Airport for 2 years
Revenue license less than \$150,000 and 10 years	Invista Center dressing room and office space	KAMHA	\$650.00/month	License of dressing room and office space at the Invista Center

By-Law No. \_\_\_\_\_

**A By-Law to provide for the assumption of the public highways in West Village Phase 1 Subdivision, Registered Plan 13M-120, in the City of Kingston, in accordance with section 31(4) of the Municipal Act, Chapter 25, S.O. 2001; and to provide acceptance by the City of Kingston, of the associated public works within.**

**Passed:** \_\_\_\_\_, 2024

**Whereas** the owner, Taggart (Gardiners) Corporation, entered into a Subdivision Agreement with the City of Kingston for West Village Phase 1 Subdivision, registered as Instrument # FC273396 on December 13, 2018;

**And Whereas** the owner, Taggart (Gardiners) Corporation, has completed the construction of the associated public works for West Village Phase 1 Subdivision, Registered Plan 13M-120, based on the subdivision agreement dated December 13, 2018, including the streets and the appurtenances thereto in accordance with the terms of the subdivision agreement and any subsequent amendments thereto;

**And Whereas** the subdivision agreement provides for acceptance of these works in whole or in part by the Municipality upon satisfactory completion subject to certain provisions for maintenance as laid out in the subdivision agreement;

**And Whereas** the streets in West Village Phase 1 Subdivision as shown on Registered Plan 13M-120 are dedicated as public highways and are now vested in the City of Kingston;

**And Whereas** Section 31, Chapter M45 of the Municipal Act, R.S.O. 2001 provides for the assumption of public highways.

**Now Therefore** the Council of the Corporation of the City of Kingston enacts as follows:

1. That Council authorize the Director of the Engineering Department to issue a "Preliminary Certificate of Approval of the Works" to accept the associated public works which service West Village Phase 1 Subdivision, Registered Plan 13M-120.



2. That Ashford Place, Part of Wheathill Street, Part of Barrow Avenue, Part of Swanfield Street, as established as a public highway in West Village Phase 1 Subdivision, Registered Plan 13M-120, be assumed by the Municipality under Section 31(4), of the Municipal Act, Chapter 25, S.O. 2001.

**Given all Three Readings and Passed:**

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**