



**City of Kingston
Kingston Heritage Properties Committee
Meeting Number 04-2024
Agenda**

**Wednesday, March 20, 2024 at 9:30 a.m.
Hosted at City Hall in Council Chamber**

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

Committee Composition

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

- 1. Meeting to Order**
- 2. Approval of the Agenda**
- 3. Confirmation of Minutes**
 - a) That** the minutes of Kingston Heritage Properties Committee Meeting Number 03-2024, held Wednesday, February 21, 2024, be approved.
- 4. Disclosure of Pecuniary Interest**
- 5. Delegations**

6. Briefings

7. Business

a) Pre-consultation

b) Policy Development and Implementation

i. Updates to the Window Policy and Guidelines

The Report of the Commissioner of Community Services (HP-24-016) is attached.

Schedule Pages 1 – 49

Recommendation:

That the Kingston Heritage Properties Committee recommends to Council:

That the City of Kingston Window Policy and Guidelines, attached as Exhibit B to Report Number HP-24-016, be approved.

ii. Update on Response to Bill 23 Changes to the *Ontario Heritage Act*

The Report of the Commissioner of Community Services (HP-24-015) is attached.

Schedule Pages 50 – 56

Recommendation:

This Report is for information only.

c) Stream Two Permits – Approval through Delegated Authority

d) Stream Three Permits – Approval through Council Authority

i. Subject: Application for Ontario Heritage Act Approval

Address: 52 Clergy Street East

File Number: P18-078-2023

The Report of the Commissioner of Community Services (HP-24-010) is attached.

Schedule Pages 57 – 77

Recommendation:

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

That the alterations on the property at 52 Clergy Street East, be approved in accordance with the details described in the applications (File Number P18-078-2023), which was deemed complete on January 16, 2024, with said alterations to include:

1. The partial demolition of the chimney;
2. The reconstruction of the chimney, to include:
 - a. Like-for-like dimensions, detailing, design and bond pattern;
 - b. The use of reproduction bricks that match the existing as closely as possible;
 - c. Step flashing, as well as a cricket, where necessary;
 - d. The use of appropriate 1:1:6 mortar;
 - e. The salvage and reuse of material, where possible;
 - f. The installation of a new chimney cap which meets Ontario Building Code; and

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

1. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
2. The conditions of the current chimney, including dimensions and materials, shall be documented, and provided to Heritage Planning staff for documentation purposes;
3. An Encroachment Permit and/or Temporary Access Permit shall be obtained, where necessary;
4. A Building Permit shall be obtained;
5. Details, including materials, dimensions and colour(s) of the new chimney and new chimney cap shall be submitted to Heritage Planning staff, prior to construction, for final review and approval;
6. Any salvageable materials from the existing chimney shall be used in the rebuild; and
7. Any minor deviations from the submitted plans, which meet the intent of this approval and does not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

e) **Notice of Intention to Designate under the Ontario Heritage Act**

- i. **Addresses: 1193 Front Road, 123-129 Princess Street, 1359 Unity Road, 26-34 Barrie Street, 2638 Kepler Road, 3578 Unity Road, 62-74 Barrie Street, 9 & 11 Colborne Street, 22 Colborne Street, 30 Colborne Street & 37 Kennedy Street**

The Report of the Commissioner of Community Services (HP-24-014) is attached.

Schedule Pages 78 – 167

Recommendation:

That the Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Intention to Designate the property located at 1193 Front Road, known as the Grass 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-24-014; 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 1193 Front Road, attached as Exhibit B to Report Number HP-24-014, 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 123-129 Princess Street, known as Foster 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-24-014; 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 123-129 Princess Street, attached as Exhibit C to Report Number HP-24-014, 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 1359 Unity Road, known as the Hunter Farmhouse, 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-24-014;
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 1359 Unity Road, attached as Exhibit D to Report Number HP-24-014, 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 Proposed Amendment/Notice of Intention to Designate the property located at 26-34 Barrie Street, pursuant to Sections 29 and 30.1 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-014; 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, the Designation By-Law for 26-34 Barrie Street, attached as Exhibit E to Report Number HP-24-014, 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 2638 Kepler Road, known as the Powley Farmhouse, 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-24-014;
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 2638 Kepler Road, attached as Exhibit F to Report Number HP-24-014, 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 3578 Unity Road, known as the Raycroft Farmhouse, 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-24-014;
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 3578 Unity Road, attached as Exhibit G to Report Number HP-24-014, 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 Proposed Amendment/Notice of Intention to Designate the property located at 62-74 Barrie Street, pursuant to Sections 29 and 30.1 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-014; 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, the Designation By-Law for 62-74 Barrie Street, attached as Exhibit H to Report Number HP-24-014, 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 9 Colborne 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-24-014; 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 9 Colborne Street, attached as Exhibit I to Report Number HP-24-014, 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 11 Colborne 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-24-014; 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 11 Colborne Street, attached as Exhibit I to Report Number HP-24-014, 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 22 Colborne 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-24-014; 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 22 Colborne Street, attached as Exhibit J to Report Number HP-24-014, 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 30 Colborne Street, known as the Queen Street Methodist Church Parsonage, 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-24-014; 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 30 Colborne Street, attached as Exhibit K to Report Number HP-24-014, 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 37 Kennedy Street, known as Henley Camerson 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-24-014; 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 37 Kennedy Street, attached as Exhibit L to Report Number HP-24-014, 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.

- f) Working Groups**
- g) Permit Approvals / Status Updates**
 - i. Permit Reporting to Committee**

Schedule Page 168

- 8. Motions**
- 9. Notices of Motion**
- 10. Other Business**
- 11. Correspondence**
- 12. Date of Next Meeting**

The next meeting of the Kingston Heritage Properties Committee is scheduled for
Wednesday, April 17, 2024 at 9:30 a.m.

- 13. Adjournment**



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-016

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: March 20, 2024

Subject: Updates to the Window Policy and Guidelines

Council Strategic Plan Alignment:

Theme: Policies & by-laws

Goal: See above

Executive Summary:

On January 24, 2024, Heritage Planning staff presented the Kingston Heritage Properties Committee with [Report Number HP-24-006](#) that included proposed updates to the City's "Policy on Window Renovations in Heritage Buildings" (Existing Window Policy). This updated policy is titled the "City of Kingston Window Policy and Guidelines" (Updated Window Policy). Staff circulated the Updated Window Policy to the Kingston Heritage Properties Committee for comment and received feedback from the Committee, local organizations and members of the public.

This report summarizes at a high-level reasons for the proposed changes from the existing Window Policy, which include additional clarity for applicants/homeowners when submitting a heritage permit, increased staff efficiency, requirements for the review of window conditions by qualified professionals, and to outline best practices to maintain the heritage value of protected properties. This report also summarizes feedback received and staff responses, organized into broad themes, as well as resulting changes that have been incorporated into the Updated Window Policy.

March 20, 2024

Page 2 of 8

Recommendation:

That the Kingston Heritage Properties Committee recommends to Council:

That the City of Kingston Window Policy and Guidelines, attached as Exhibit B to Report Number HP-24-016, be approved.

March 20, 2024

Page 3 of 8

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

March 20, 2024

Page 4 of 8

Options/Discussion:

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

Window Policy Updates

The Existing Window Policy has been effective in setting standards that must be met prior to removing or altering Contributing Windows. However, these policies have sometimes been challenging to interpret and have required additional staff input to appropriately implement. The Updated Window Policy aims to clarify these standards by clearly detailing when a qualified professional is required, staff expectations on the design of window replacements, and requirements for the retention/restoration of Contributing Windows. These changes should allow for process improvements including additional clarity for applicants/homeowners earlier in the heritage permit process and a reduction in staff time commitments during the review of the associated heritage permit, while continuing to provide protection to Contributing Windows. The initial Updated Window Policy was made public in [January 2024](#) and resulted in public feedback. After evaluating this feedback, the proposed policy section was altered to increase clarity/consistency but did not result in net new policies. The amended Updated Window Policy is available for review in Exhibit B and the public engagement and committee feedback that were considered as part of the development of the new policy are reviewed below.

Public and Committee Engagement

In support of the initial changes proposed to the Updated Window Policy, Heritage Planning staff engaged with the Heritage Properties Working Group in 2022 and again in 2023. This first meeting included high-level discussions and the second provided the draft language for review and comment.

After presenting an information report ([Report Number HP-24-006](#)) to the Kingston Heritage Properties Committee on January 24, 2024, Heritage Planning staff circulated the draft policy to the Committee to provide further opportunity for review and comment. In addition, several members of the public provided comments on the draft policy. This Committee and public correspondence are attached as Exhibits C and D.

Feedback from the Kingston Heritage Properties Committee and the public largely followed several themes, including the role of qualified professionals, the importance of clarity/specificity and best practices. In addition, some feedback addressed issues that go beyond the intent of the Updated Window Policy and are only briefly noted below.

March 20, 2024

Page 5 of 8

After evaluating feedback from the Kingston Heritage Property Committee and the public on the proposed updates to the Existing Window Policy, staff have amended the proposed Updated Window Policy to reflect this feedback where relevant and necessary. The major themes from this feedback and resulting changes are detailed below.

Qualified Professionals

One goal of the proposed Updated Window Policy is to clearly detail assessment expectations for qualified professionals (i.e. carpenter, joiner, etc.) such as when an assessment is required, what must be reviewed in the assessment, and the specialist qualifications required to prepare an assessment. Under the Existing Window Policy, when seeking to replace or substantially alter Contributing Windows a formal window assessment by a qualified professional has been necessary to evaluate if the proposal meets the following test: “Replacement of a [Contributing Window] on a Protected Heritage Property will only be considered when the [Contributing Window] is so deteriorated that even if it was repaired very little original material would remain.” The input/expertise of qualified window professionals with expertise/training on heritage buildings when considering the replacement of Contributing Windows was a reoccurring theme in the reported feedback. There were concerns that an assessment by a qualified professional was a new requirement that deviated from the Existing Window Policy, that the required assessment would be onerous for applicants/homeowners, and that an over emphasis on Canadian Association of Heritage Professional (CAHP) qualifications could be problematic (Exhibits C and D).

As noted above, staff already require that a window assessment be completed by a qualified heritage professional when proposing removal of a Contributing Window. This assessment ensures that these non-renewable assets are reviewed by an expert to avoid their unnecessary removal, which helps maintain the property’s heritage value. While heritage planning staff are not experts in historic window construction or repair and cannot appropriately evaluate if Contributing Windows can be appropriately repaired, staff are able to evaluate qualified professional’s curriculum vitae (CV) and qualifications (i.e. CAHP membership) to confirm if the professional has the necessary expertise. Staff also recognize that there are several qualified professionals in the field of historic window restoration that do not have CAHP membership (Exhibits C and D). As such, in the Updated Window Policy CAHP membership is recommended but not required, while professionals “should be prepared to provide their [CV] with associated project examples when providing their professional opinion” (Exhibit B).

Due to clarifications on when a window assessment is triggered and what the assessment entails before the application process begins, the applicant should have more time to retain a qualified professional while staff time commitments related to process discussions should decrease, both of which should expedite approval timelines. Finally, the City has a grant program that can allocate up to \$5,000 per heritage property every two years. While the grant program is a competition, the restoration of Contributing Windows (especially those in highly visible locations) typically ranks well. Importantly, if Contributing Windows are repaired instead of replaced no assessment is required. However, staff still recommend the repair is completed

March 20, 2024

Page 6 of 8

by a qualified professional due to special considerations (i.e. old growth wood, lead paint/glass, building settling, etc.) unique to Contributing Windows.

Additional Clarity/Specificity

The feedback also identified opportunities to increase clarity and specificity. Feedback that resulted in changes to the Updated Window Policy include additional guidance on glazing, refinements of select definitions, adding references to Heritage Conservation District Plans, and updating section titles to increase clarity on replacement versus repair expectations of Contributing Windows. The inclusion of guidance on missing/broken glazing for Contributing Windows further expands on the best practices already detailed in the Updated Window Policy (Exhibit B). While, in staff's experience, this occurrence is infrequent, the inclusion of this best practice should better maintain the value of Contributing Windows and provide additional clarity when considering the maintenance of a Contributing Window. To increase clarity and reduce friction when transitioning from the Existing to the Updated Window Policy, a reference to that past wording choice for Contributing Windows ('Period Windows') has been added in the Contributing Windows definition (Exhibit B). Similarly, to ensure a smooth transition from the Existing to the Updated Window Policy, clause (2.2(e)) has been modified to clearly state that all references to the Existing Window Policy in City policies including "all Heritage Conservation District Plans" will be replaced by the Updated Window Policy once approved (Exhibit B). In addition, to increase consistency throughout the document and to highlight the phenomena of inappropriate basement window alterations/replacements the definition of a window has been modified to include references to elevations and basement windows (Exhibit B). Further, section 3.4 has been modified to remove potentially conflicting statements on replacement/repair of Contributing Windows to increase clarity on when a Contributing Window assessment is required. Feedback also included several recommended changes that staff believe were already addressed elsewhere in the document, exceed the document's intent, or will be addressed in future educational documents. The feedback can be reviewed in its entirety in Exhibit C and D.

Window Guideline Updates

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

Feedback on the proposed guideline section also resulted in further changes to this section of the Updated Window Policy. Much of the guideline feedback was related to providing a wider range of best practices, which staff believe are better suited to a standalone Contributing

March 20, 2024

Page 7 of 8

Window educational document that the City hopes to release in the near future. A few of these identified best practices are noted below. The amended Updated Window Policy's guideline section is available for review in Exhibit B.

Educational Document – Best Practices on Windows in Historic Properties

The list of best practices in the guideline section of the Updated Window Policy already represents many of the main considerations that staff regularly experience when administering the City's Existing Window Policy. As such, staff believe that the included best practices/guidance statements in the Updated Window Policy appropriately balance overall policy clarity while providing a sufficient starting point for applicants/homeowners to consider when they seek to replace/alter windows on a heritage property. While some of the provided feedback on these best practices will not form part of this policy document, it will be considered when creating an educational document that should further assist applicants/property owners in the management of their historic property (Exhibits C and D).

It is staff's intent to create a future education document that is anticipated to include photo examples of common window types in the City, strategies on how to investigate if a window is a Contributing Window prior to or with limited staff consultation, seasonal maintenance guidelines for windows, and best practices on retrofitting a window to become more energy efficient. Based on the feedback received, staff will consider adding additional sections related to window/shutter functionality, compromises to masonry openings, and legibility concerns. While some of this feedback goes beyond the Updated Window Policy's intent, it represents meaningful contributions that will be considered at a future date (Exhibits C and D).

Importantly, as each historic property is a product of its own time and has been modified over its life cycle, no two properties are the same. As such, recommendations need to be sufficiently broad to be applicable to most historic properties, and staff are available to refine these strategies for each property/situation. Finally, despite removing the guidance on non-protected properties, all the detailed best practices can always be applied regardless of the designation status of a property.

Beyond the Updated Window Policy's Intent

Not all of the feedback received was focused specifically on the heritage attributes of Contributing Windows or otherwise exceeded the intent of the Updated Window Policy. For example, feedback included commentary that Contributing Windows are not able to achieve the same level of energy efficiency as modern windows (Exhibit D). While addressing energy efficiency concerns goes beyond the intent of the Updated Window Policy, it is worth noting that Contributing Windows may be able to achieve the same energy efficiency expectations as some modern windows provided regular maintenance is completed and creative strategies are considered (which staff and/or members of the heritage community can recommend or identify). However, energy efficiency is not the only metric to evaluate environmental sustainability as Contributing Windows may be easier to repair than modern windows which extends their life and reduces trips to the landfill.

March 20, 2024

Page 8 of 8

Feedback also included comments on the ability of the Kingston Heritage Properties Committee to comment on window proposals, specific definitions for window maintenance, and worries on how increased requirements may result in more unapproved alterations/replacements. When considering changes to the Updated Window Policy, the above comments exceed the document's intent. The circumstances where the Committee will comment on heritage permits and the definition of property maintenance are outlined separately in the Procedural By-Law for Heritage, which was finalized in 2023 as shown in [Report Number 23-006](#). The changes to the Existing Window Policy do not reflect major process changes, but mainly a refinement of, and additional clarity for, Contributing Window assessment expectations. As such, staff do not anticipate an increase in illegal alterations/replacements of Contributing Windows because of the proposed updates to the Existing Window Policy.

Existing Policy/By-Law:

Existing "Policy on Window Renovations in Heritage Buildings"

By-Law Number 2018-26 – Heritage Grant By-Law

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

Contacts:

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

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

Other City of Kingston Staff Consulted:

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

Exhibits Attached:

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

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

Exhibit C – Kingston Heritage Properties Committee Correspondence

Exhibit D – Public Correspondence

POLICY ON WINDOW RENOVATIONS IN HERITAGE BUILDINGS

Approved by City Council December 18, 2012

Purpose:

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

This policy:

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

Glossary:

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

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

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

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

Policy for Period Windows which are Heritage Attributes:

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

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

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

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

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

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

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

Guideline for Period Windows on Non-Protected Heritage Properties:

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

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

Improving Thermal Efficiency in Period Windows:

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

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

Policy #	assigned by the communications officer (web developer).
Effective Date	April 2, 2024
Status	Final Draft
Final Approver	Council

1.0 Interpretation

1.1 In this policy, unless the context requires otherwise:

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

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

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

complementary components that relate to that time. Original and suitable replacement *windows* (and their components/openings) that contribute to the heritage value of the property are considered *contributing windows* that merit retention and protection. This term is the successor to 'Period Windows' as noted in the 2012 window policy and other City policy documents;

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

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

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

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

definition also includes *windows* associated/embedded within or used as doors. Storm windows and screens are considered separately from typical *windows* unless they contribute to the fundamental cultural value of the building and the property.

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

2.0 Purpose

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

- (c) Requirements for a heritage permit application to be deemed complete are also outlined in the Administrative section below for ease of submission. This policy is to be followed when preparing heritage permit application submissions as detailed in Parts IV, V, VII & VII of the By-Law Number 2023-38 "Procedural By-Law for Heritage" as well as when submitting heritage grant applications as detailed in section 5.2 in By-Law 2018-26 "Being a By-Law to Establish a Heritage Grant Program." Please note this is not an exhaustive list and may be amended based on changes to existing or proposed legislation.
- (d) The Qualified Professional Window Assessment Checklist is located in the Appendix, at the end of this document, and must be completed and submitted when a window assessment is required.
- (e) As of the date of approval of this policy (XYZ, 2024) it replaces the "Policy on Window Renovations in Heritage Buildings" and all related references in City policy documents, including, but not limited to, all Heritage Conservation District Plan documents.

3.0 Policies

3.1 *Contributing windows will be conserved:*

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

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

- (a) All *window* elements that can be repaired shall be retained and restored to the greatest extent possible.
- (b) The design of all replacement components should, as closely as possible, replicate the *window*, as supported by evidence, so that character defining features and details are *conserved*.

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

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

3.4 When considering replacement or repair of *contributing windows* the following applies:

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

4.0 Guidelines

- 4.1 *Window replacement* – Where a *window* cannot be repaired and/or is an *incompatible window*:
- (a) Replacement of *incompatible windows*:
 - (i) Where an *incompatible window* exists on a *protected heritage property* and requires replacement, an *appropriately designed window* is highly recommended.
 - (ii) *Window* styles that historically had true divided lights, may be replaced with simulated divided lights provided that the muntin bars (grills) are affixed to the exterior of the glass and visually act as true divides.
 - (b) Replacement of *appropriately designed windows*:
 - (i) The replacement of *appropriately designed windows* on a *protected heritage property* is discouraged as an insufficient replacement can have a negative impact on the cultural heritage value of the property.
 - (ii) It is expected that a suitable *window* replacement (in terms of design, material, colour and function) will replace an *appropriately designed window* to maintain the heritage value of the *protected heritage property*.
 - (c) Appropriate materials and colours for replacement *windows*:
 - (i) Material:
 1. Decisions on *window* material should be based on historical research as well as the age and architectural style of the building.
 - (ii) Colour:
 1. *Window* colour should be based on historical research or be architecturally suitable to the property and/or relevant Heritage Conservation District.
 2. Colour extremes, like black or bright white, are discouraged unless related to the property's architectural style.
 - (d) Deviations from traditional *window* designs:

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

4.2 Interior alterations to *contributing windows*:

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

4.3 Storm windows and screens:

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

4.4 Historic shutters and hardware:

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

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

4.5 Missing/broken glazing for *contributing windows*:

- (a) Where the glass of a contributing window must be replaced, the use of glass of a similar period, quality or attributes is encouraged;

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

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

5.0 Administration

5.1 How to apply for a heritage permit:

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

5.2 For heritage permit applications regarding *windows*:

- (a) The submission must include an elevation drawing and/or picture(s) denoting which *window(s)* corresponds with the application, and an

applicable assessment for the *contributing window(s)*, if required in this Window Policy.

- (b) The submission must clearly identify the historic opening(s) in which each replacement *window* will be installed and must identify each new *window's*: material(s), size, light configuration/pattern, mullion/muntin bar locations, size and profile, glazing information, and colour prior to being deemed complete.

6.0 Application

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

7.0 Approval Authority

Role	Position	Date Approved
Quality Review	Phillip Prell, Intermediate Planner	2-12-24
Subject Matter Expert	Phillip Prell, Intermediate Planner	2-12-24
Legal Review	Alan McLeod, Deputy Director	2-13-24
Management Review	Kevin Gibbs, Acting Director	2-13-24
Final Approval	

8.0 Revision History

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

9.0 Appendix

9.1 Qualified Professional Window Assessment Checklist.

Qualified Professional Window Assessment Checklist:

Connection to Policy & Guideline Document:

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

Checklist:

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

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

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

Exhibit C – Feedback from the Kingston Heritage Properties Committee

From: [REDACTED]
To: [Prell, Phillip](#)
Subject: Re: Feedback Request on Draft Window Policy
Date: January 27, 2024 6:44:37 PM
Attachments: [image001.gif](#)
[image002.png](#)
[image001.gif](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Phil,

There was no chart in your attachment. I was using an iPad to read the policy and perhaps it wouldn't open a chart.

I think the Windows policy is easy to understand and makes a lot of sense.

I am so new to all of this and I know other committee members have more experience about period windows.

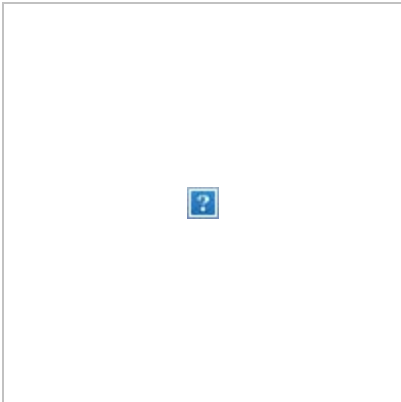
I support the new document. While my inexperience may be a limitation, my experience as a writer tells me the document was clear and easy to understand. And that could be a plus point when people need to understand a complicated set of details on windows.

Hope this reply is ok. I wanted you to have it before I head off on Monday.

See you when I get back.

Ann

On Fri, Jan 26, 2024 at 12:07 PM Prell, Phillip <pprell@cityofkingston.ca> wrote:



Hello members of the Heritage Properties Committee,

I wanted to request feedback on the proposed updates to the City's Window Policy for designated properties.

Please see the attached report with the draft Window Policy that was presented to Committee this Wednesday.

What I am hoping to do, since this will not have a related DASH circulation,

is that Committee members can write their comments on the attached word document. This word document contains a table with three columns to help organize comments: (1) the section the comment refers to, (2) the existing draft policy language the comment refers to, and (3) the comment on the policy/section.

If members could note the section in column one and copy/paste the exact language/section into the second column and then detail their thoughts in the third, that should assist with organizing comments and help me see if there are specific policies/sections that require attention.

Once the word document is completed, if the member could just denote their name in the title of the word document that would also be helpful when consolidating feedback!

I am hoping to get this feedback by **noon on Monday the 12th of February.**

As always, I am here to help address any questions or concerns.

Hope all is well.

Phillip Prell (he/him/his), M.Pl, RPP, MCIP

Intermediate Planner

Heritage Services

Community Services

Located at: 216 Ontario Street

Kingston Ontario, K7K 2Z3

Mailing Address: 216 Ontario Street

Kingston Ontario, K7L 2Z3

Office: 613-546-4291 **Ext.** 3219

Email: pprell@cityofkingston.ca

The City of Kingston acknowledges that we are on the traditional homeland of the Anishinaabe, Haudenosaunee and the Huron-Wendat, and thanks these nations for their care and stewardship over these shared lands

From: [REDACTED]
To: [Prell, Phillip](#)
Subject: Re: Feedback Request on Draft Window Policy
Date: January 28, 2024 10:29:31 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

First reading makes me say "Wow, well done" I think everything I have ever complained about is covered, but if anything comes to mind I will write again. I am showing it to several interested parties for their thoughts. Great Job. Peter

Peter Gower [REDACTED]

From: [REDACTED]
To: [Prell, Phillip](#)
Subject: Re: RE: Feedback Request on Draft Window Policy
Date: January 29, 2024 10:09:48 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks. I have also seen Craig Sims response. My thoughts on 'qualified professions' are as his are, but I believe you have to try somebody once, if necessary, without approving them, and then inspecting their work. Peter

Peter Gower [REDACTED]

Comments on the draft Window Policy for Designated Properties:

Jane McFarlane KHPC January 12, 2024

Purple – concerns & comments

Red – remove

Green - insert

Section #	Draft Policy Wording	Proposed Change or Comment
1.0 Interpretation		
1.1 “qualified professional”	<p>“qualified professional” includes those who are recognized in several practice areas as authorized persons or who have the necessary experience to perform specific related works. For works on heritage buildings it is recommended that these professionals be a member of the Canadian Association of Heritage Professionals (CAHP). To evaluate the condition of windows, the qualified professional will have experience/training on heritage buildings or older building styles and have an expertise in architecture, carpentry, joinery, glazing, and/or window fitting. Qualified professionals should be prepared to provide their curriculum vitae with associated project examples when providing their professional opinion; and</p>	<p>The use of this terminology should not preclude experienced heritage homeowners, who may not have “paper” qualifications but have researched repair of heritage windows while carrying out maintenance, from giving input on and potentially evaluating their contributing windows. How will this be addressed?</p>
1.1 “contributing windows”	<p>“contributing windows” refer to original windows or replacement windows that are</p>	<p>For clarity, who determines that windows are contributing and how is this done? If windows are not referred to in Schedule A, eg in older</p>

	<p>historically and architecturally sympathetic and contribute to the fundamental cultural value of the building and the property.</p> <p>Contributing windows are tangible examples of the craftsmanship of the era in which they were made. Generally, these are windows that existed at the time of construction and/or use period construction materials, such as wood, metal and glass, and techniques. A building may no longer have its original windows, or the window(s) may not have all their original components, but instead have older architecturally appropriate windows or have complementary components that relate to that time. Original and suitable replacement windows (and their components/openings) that contribute to the heritage value of the property are considered contributing windows that merit retention and protection;</p>	<p>designation by-law schedules that are minimal at best, who decides? This loophole ie windows not listed as Heritage Attributes in Schedule A, has been used in the past to justify replacement on large projects.</p>
<p>1.1 “window”</p>	<p>“window” includes any window on any storey, or portion of a storey, including transom windows, side lights, clerestory windows, attic and dormer windows, and refers to not only the glass (stained/tinted or otherwise), glazing pattern, frame and</p>	<p>Insert basement windows after “attic and dormer windows” as follows:</p> <p>“window” includes any window on any storey, or portion of a storey, including transom windows, side lights, clerestory windows, attic and dormer windows, basement windows, and</p>

	<p>sash but also includes, but is not limited to, the window openings and its existing proportions, (sills, lintels and shutters), all mouldings, casings, muntin bars, joinery, decorative features, shutters, rail, storm windows (where required), all hardware, and other components. This definition also includes windows associated/embedded within or used as doors. Storm windows and screens are considered separately from typical windows unless they contribute to the fundamental cultural value of the building and the property.</p>	<p>refers to not only the glass (stained/tinted or otherwise), glazing pattern, frame and sash but also includes, but is not limited to, the window openings and its existing proportions, (sills, lintels and shutters), all mouldings, casings, muntin bars, joinery, decorative features, shutters, rail, storm windows (where required), all hardware, and other components. This definition also includes windows associated/embedded within or used as doors. Storm windows and screens are considered separately from typical windows unless they contribute to the fundamental cultural value of the building and the property.</p>
<p>Addition to Section 1</p>	<p>“window maintenance”</p>	<p>For clarity, include a definition of window “maintenance” referencing and expanding on the Procedural By-law for Heritage eg “window maintenance” refers to replacement of broken glass in windows, repairs to putty, minor exterior repairs, repainting where there is little or no change in colour or design...</p>
<p>2.0 Purpose</p>		
<p>2.1 (a)</p>	<p>Owners of protected heritage properties may be required to conserve or alter contributing windows during their stewardship of the property. The following policies and guidelines are intended to provide clarity on the property owner’s responsibility to the Ontario Heritage Act regarding the conservation of contributing windows on protected heritage properties.</p>	<p>“may be required to” makes it sound like someone other than the owner could determine this eg the City of Kingston.</p> <p>Change “may be required to” as follows:</p> <p>Owners of protected heritage properties “may find it necessary to” or “may need to” conserve or alter contributing windows during their stewardship of the property. The following policies and guidelines are intended to provide clarity on the</p>

		property owner's responsibility to the Ontario Heritage Act regarding the conservation of contributing windows on protected heritage properties.
2.1 (b)	Contributing windows are windows that existed at the time of construction and/or contribute to the fundamental cultural heritage value of the property. A heritage permit is required prior to undertaking works that are likely to affect the heritage attributes, such as contributing windows, of a protected heritage property.	Again for clarity, who determines this and how, ie that windows are contributing and how is this done?
2.2	How to read and use this document:	For clarity and consistency, there should be some reference to how this document relates to the three HCD plans and windows policies therein.
2.2 (a)	This document outlines the policies enacted by the City of Kingston to ensure contributing windows are conserved. Where replacement is required, the policies provide direction on appropriate change. Guidelines are also included to clarify the City of Kingston's expectations regarding the preservation of a protected heritage property's cultural heritage value and to detail best practice related to windows.	Change "is required" to: "is determined to be necessary" as follows: This document outlines the policies enacted by the City of Kingston to ensure contributing windows are conserved. Where replacement "is determined to be necessary", the policies provide direction on appropriate change. Guidelines are also included to clarify the City of Kingston's expectations regarding the preservation of a protected heritage property's cultural heritage value and to detail best practice related to windows.
3.0 Policies		
3.1 (a)	3.1 Contributing windows will be conserved: (a) Where a contributing window is present on a protected heritage property,	Using the word requires in 3.1 (a) seems contradictory to 3.1 (b) & (c) For clarity this section should be numbered as follows: 3.1 Contributing windows will be conserved:

	<p>the City of Kingston requires conservation of the contributing window(s).</p> <p>(b) Repairing a contributing window, in accordance with this policy, is always desirable over replacement.</p> <p>(c) Replacement of a contributing window will only be supported if the existing window is deteriorated to the extent that repair would leave little original material remaining, as determined by a qualified professional through a window assessment.</p> <p>(d) Where a contributing window is considered a rare, unique, representative or early example of a style, type, expression, material or construction method it will require repair regardless of its condition.</p> <p>(e) Permanently covering existing window elements with cladding is not permitted.</p> <p>(f) The location of a contributing window on a protected heritage property does not reduce its inherent value or level of protection.</p>	<p>(a) Where a contributing window is present on a protected heritage property, the City of Kingston requires conservation of the contributing window(s).</p> <p>(i) Repairing a contributing window, in accordance with this policy, is always desirable over replacement.</p> <p>(ii) Replacement of a contributing window will only be supported if the existing window is deteriorated to the extent that repair would leave little original material remaining, as determined by a qualified professional through a window assessment.</p> <p>(iii) Where a contributing window is considered a rare, unique, representative or early example of a style, type, expression, material or construction method it will require repair regardless of its condition.</p> <p>(c) Permanently covering existing window elements with cladding is not permitted.</p> <p>(d) The location of a contributing window on a protected heritage property does not reduce its inherent value or level of protection.</p>
3.1 (d)	<p>“Where a contributing window is considered a rare, unique, representative or early example of a style, type, expression, material or construction method it will require repair regardless of its condition.”</p>	<p>Again for clarity, how or by whom will this be determined – would these “rare...” windows be expected to be included in Schedule A Description and Criteria for Designation and/or Heritage Attributes of the Designation? What if windows are not referred to in Schedule A, eg in older designation by-law schedules that are minimal at best, who decides?</p>

<p>3.4</p>	<p>The condition of contributing windows must be assessed by a qualified professional:</p> <p>(a) When replacement is being considered, the condition of a contributing window(s) and the potential for repair must be assessed by a qualified professional to determine the appropriate scope of work.</p> <p>(i) The assessment must assess each contributing window separately.</p> <p>(ii) The assessment must focus solely on the condition and repairability of the contributing window(s) while considering the heritage value of the property.</p> <p>(iii) The assessment must include the completed “Qualified Professional Window Assessment Checklist”, located in the Appendix of this policy document, as the cover page.</p> <p>(b) The repair of contributing windows does not require an assessment by a qualified professional:</p> <p>(i) Due to the material, design and/or age of contributing windows it is highly recommended that window conservation be undertaken by a qualified professional.</p> <p>(ii) Conservation activities that result in permanent alteration are subject to this policy and will require a heritage permit.</p>	<p>The heading “The condition of contributing windows must be assessed by a qualified professional:” is contradictory to 3.4 (b) “The repair of contributing windows does not require an assessment by a qualified professional:”</p> <p>Two suggestions here:</p> <p>#1: Remove The condition of contributing windows must be assessed by a qualified Professional: Insert “When considering replacement or repair the following policies apply:” as the heading for 3.4</p> <p>Or #2 better yet: Eliminate 3.4 entirely and incorporate all of 3.4 (b) into 3.2 as 3.2 (c) and incorporate all of 3.4 (a) into 3.3 as 3.3 (c) as follows:</p> <p>3.2 Where contributing windows require conservation, the following policies apply:</p> <p>(a) All window elements that can be repaired shall be retained and restored to the greatest extent possible.</p> <p>(b) The design of all replacement components should, as closely as possible, replicate the window, as supported by evidence, so that character defining features and details are conserved.</p> <p>(c) The repair of contributing windows does not require an assessment by a qualified professional:</p> <p>(i) Due to the material, design and/or age of contributing windows it is highly recommended that window conservation be undertaken by a qualified professional.</p> <p>(ii) Conservation activities that result in permanent alteration are</p>
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		<p>subject to this policy and will require a heritage permit.</p> <p>3.3 Where contributing window repair is not feasible, replacement may be permitted under the following conditions:</p> <p>(a) A replacement window should, in most circumstances, replicate the existing contributing window as closely as possible, and/or be a historically appropriate design to the age, cultural heritage value and architectural style of the building.</p> <p>(b) A replacement window should, in most circumstances, be made to fit into historic openings without altering the size or shape of the opening or infilling the opening to fit the window.</p> <p>(c) When replacement is being considered, the condition of a contributing window(s) and the potential for repair must be assessed by a qualified professional to determine the appropriate scope of work.</p> <p>(i) The assessment must assess each contributing window separately.</p> <p>(ii) The assessment must focus solely on the condition and repairability of the contributing window(s) while considering the heritage value of the property.</p> <p>(iii) The assessment must include the completed “Qualified Professional Window Assessment Checklist”, located in the Appendix of this policy document, as the cover page.</p>
Addition to Policy	3.5	Replacement of most or all windows is considered a major alteration and the KHPC will be consulted in these cases.
4.0 Guidelines		

4.1 (c) (ii) 1.	(c) Appropriate materials and colours for replacement windows: (ii) Colour: 1. Window colour should be based on historical research or be architecturally suitable to the property and/or relevant Heritage Conservation District.”	Insert “physical evidence” before “historical research”. There may be remains of paint colours on and around the window to be replaced and this should guide colour choice. (c) Appropriate materials and colours for replacement windows: (ii) Colour: 1. Window colour should be based on physical evidence, historical research or be architecturally suitable to the property and/or relevant Heritage Conservation District.”
New Guidelines Suggested Below:		
New Guideline	4.6 (a)	Altering window openings impacting contributing windows is considered a major alteration and the KHPC will be consulted in these cases.
New Guideline	4.6 (b)	Proposing new window openings in heritage buildings or Heritage Conservation Districts is considered a major alteration and the KHPC will be consulted in these cases.
New Guideline	4.7	Doors can be considered contributing and should be conserved following the Windows Policy.

**** Other comments & concerns****

These Policies and Guidelines should serve to:

- Update, clarify, standardize and guide the permit process dealing with windows,
- reduce time required to process applications by providing clear expectations for applicants,
- Inform and educate applicants and owners on best practices for windows on protected heritage properties,
- Support, enhance and highlight the preservation of contributing windows.

But, a caveat - these policies and guidelines should not inadvertently:

- present barriers and/or be cost prohibitive in conserving contributing windows (eg sourcing, engaging and funding an evaluation by a “qualified professional” in order to repair heritage windows),
- reinforce a disincentive to maintain a single or a few heritage windows or support unintentional, benign or conscious neglect and lead to loss of heritage windows and/or replacement,
- become an impediment to proposed designations, deterring owners and/or potential owners from accepting designation,
- contribute to the concerning and ongoing pattern of unauthorized alterations of protected heritage properties by both developers and individual owners who deliberately ignore the heritage permit process and irrevocably remove character defining features, such as contributing windows, and compromise not only the Heritage value of a property but the Heritage fabric of our City.

Exhibit D – Feedback from the Public

From: [REDACTED]
To: [Prell, Phillip](#)
Subject: Window policy
Date: January 24, 2024 2:39:06 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Phillip,

As you suggested I am writing to confirm my comments and suggestions on the proposed windows policy.

The definition of a window for the purpose of this policy in Sec 1.1 should include "basement" windows. Although the existing words "on any storey" would cover basement windows, emphasis is needed on their equal [to] the principal windows.

Perhaps add to Sec 3.1:

Where the glass of a contributing window must be replaced, the use of glass of a similar period or quality rather than modern glass is encouraged.

Regards.
Don

I was provided with Report HP-24-006 . January 24, 2023

I have offered some suggestions for your consideration.

I am willing to discuss these points if further detail or understanding is required.

R. Bruce Downey ([REDACTED])

1.1 Incompatible Windows: Sash dimensions on historic window show a taller section along the bottom rail than the sides and a meeting rail on a double hung has a width less than the sides. Vinyl units for example have the bottom, side and meeting rail the same width as it conforms with ease and therefore cost efficiency in their manufacturing.

3.0 Policies

3.1 (e) Permanently covering window elements with cladding is not permitted. This includes the frame and sill. Covering elements with cladding offers a different (bolder) aesthetics and can hold water behind the cladding this promoting deterioration. Wood trim in a profile sympathetic to the character of existing trim should be used.

3.3 (b) If windows are in a stone wall, care should be taken in removing the frame as it is often has anchors set into the masonry joints and removal could damage the masonry opening. Some replacements fit inside the frame to avoid this potential damage. Again, wood trim is used to cover the joint as opposed to cladding.

3.4 (b) (i) All units in a protected property should be dealt with in a manner that does not compromise the masonry opening – see 3.3 (b).

4.1 (a) (ii) It is often aesthetically best to retain the authenticity of the fenestration by not introducing fake elements. All elements employed should match the original closely in dimension and profile.

4.3 (a) (i) Storm windows were historically meant to ventilate to the outside and are therefore not tight fitting or moisture can be caught between the windows promoting frost buildup and leads to deterioration.

(ii) Energy efficiency of historic units can be improved with an outside storm or an inside storm (sull sash) which should replicate the proportions of the historic unit and as it is inside does not have to be constructed of wood. In this installation the sull sash can be

made airtight to the interior and the historic unit allowed to ventilate or leak air to the exterior to prevent moisture being trapped between the windows.

4.4 (e) Shutter installation should not be such that moisture can be trapped between the shutter and the walls exterior cladding. Units are generally set away from the building envelope.

4.5 Consolidation – a specific description of what this means should be included. Is it directed at all units on a prominent façade having similar aesthetic characteristics?

Craig Sims

Heritage Building Consultant

January 28, 2024

To: Philip Prell – City of Kingston

Via email pprell@cityofkingston.ca

Window Policy and Guidelines for Heritage Properties

Dear Philip,

I have received the proposed window policy and guidelines from a number of sources and understand you are soliciting feedback.

Page 179 makes reference to “where windows are identified as a heritage attribute”. I do not know what state the current Heritage Character statements are in for the designated properties in Kingston but most were very vague in my day, most did not mention windows specifically.

I can understand the reasoning for wanting informed opinions from qualified professionals but I see the whole process of deciding who that might be to be fraught with danger - in much the same way no public entity wants to hand out names of ‘qualified’ contractors – no one wants to be the referee. The most likely outcome is that nobody will say ‘no’ to anyone. And membership in CAPH is far from any guarantee. I stopped my membership (the old Groucho Marx line comes to mind) about 15 years ago because anyone was allowed to join the club. When it started in the late 1980s it really did represent the interests of qualified heritage consultants but hasn’t for years.

In the past, and for many years, when applicants came to the Heritage Committee (HC) with a proposed scope of work that seemed vague or questionable a subcommittee was struck on the spot and went to visit the property for a first-hand look in the next few days. Relying on photos does not work. Access for photography on upper floors is difficult, sills cannot be seen for example. It’s a tactile undertaking – you have to poke the sills and bottom rails with a knife, check fit and operation, check the joinery to see if the mortice and tenons are fastened with sash pins or pegs, etc. The requirements as outlined strike me as potentially expensive for the applicant and not very informative.

In terms of the ‘Policy and Guidelines’ it says in one place that replacement details should match the originals as much as possible but elsewhere says pasting muntin bars on to insulated glass units (IGUs) is acceptable. That makes it impossible to match the sash and muntin bar profile.

Regarding shutters - if they are not operable shutters they should not be installed. Screwing 'decorative' shutters to the wall impedes maintenance of both the fake shutter and the wall behind.

Regarding paint colours - be careful about 'black'. We owned a c1900 house on Pine Street for years with 2/2 sashes and the original colour scheme had the muntin bars painted black. Similarly, our c1830 house in Barriefield has 12/12 and 12/8 sashes and around the turn of the last century they too were painted black – people did it to make the muntin bars disappear – rich people had big pieces of glass, those less fortunate did not.

Anyway, I hope this is of some help. There are no easy answers.

Regards,

Craig

██████████ Barriefield, Kingston, Ontario K7K 5S5 tel ██████████

email: ██████████

website: www.craigsims.ca

From: [REDACTED]
To: [REDACTED]
Cc: [Prell, Phillip](#); [REDACTED]
Subject: Re: Window Policy
Date: January 30, 2024 8:16:46 AM

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Thanks Craig,

I agree with your thoughts on the process Craig. In reading the material there may be room for more specific, attainable, advice given to a home owner seeking how they might proceed and why. I am referring more to the mechanical factors of why the new window does not look correct.

It seems I hear often a tone that is stated as the purpose of this policy update relating to the public seeking more clarity on what to do. Sometimes an understanding can not be written down. Sometimes property owners want it repeated until it becomes something they want to hear.

Bruce

> Good Bruce. In thinking about the documentation process described it is
> fair enough for a large commercial or institutional job but homeowners
> will not want to spend a few \$K on that - may just make them more inclined
> to cheat.
> Craig
>
> On January 29, 2024 10:30:27 p.m. EST, [REDACTED] wrote:
>>Phillip,
>>I was provided with the window policy review and see the review is
>> seeking
>>further clarification for applicants.
>>I am offering a few suggestions for your consideration.
>>
>>Bruce
>
> --
> Sent from my Android device with K-9 Mail. Please excuse my brevity.

From: [REDACTED]
To: [REDACTED] [Prell, Phillip](#)
Subject: Re: Proposed Window Policy and Guidelines
Date: February 2, 2024 2:46:26 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Phillip,

I served on the Heritage Committee with Craig for many years and always appreciated his tremendous expertise and experience. Craig's points in his letter are exceedingly insightful and helpful, and I would underscore them all, particularly the need for site visits to look at what is at stake in applications for modifications to the windows of heritage properties.

The windows of a heritage building are such a vital heritage attribute – I have seen heartbreaking destruction of heritage in Sydenham district, for example, where a beautiful door and its surrounding sidelights and transom have all been replaced with new glass, metal and vinyl – the heritage soul of the property is gone.

I would add that this what's needed is stringent enforcement, as well as good policies.

I do hope the City is resolved to take windows serious in its heritage conservation policies.

Many thanks for consulting (thanks Shirley too!) and all the best,
Christine

Christine Sypnowich, FRSC
Professor and Queen's National Scholar
Department of Philosophy
Cross-appointed to the Faculty of Law
Watson Hall, 49 Bader Lane, Queen's University
Kingston, Ontario, Canada K7L 3N6
www.christinesypnowich.com

[REDACTED]
Queen's University is situated on Anishinaabe and Haudenosaunee Territory

From: Craig Sims [REDACTED]
Date: Sunday, January 28, 2024 at 11:40 AM
To: [REDACTED]
[REDACTED] Phillip Prell <pprell@cityofkingston.ca>
Subject: Proposed Window Policy and Guidelines

Hi Philip,

Some comments attached, hope it helps.

Craig

From: [Konrad,Joel](#)
To: [Prell,Phillip](#)
Subject: FW: City's Revised Windows Policy
Date: January 30, 2024 1:23:19 PM
Attachments: [image.png](#)
[Window Renovations in Heritage Buildings Policy 2012.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Phil,
Please see below. We can discuss tomorrow in our meeting.
-Joel

From: Glenn,Conny <cglenn@cityofkingston.ca>
Sent: Tuesday, January 30, 2024 1:12 PM
To: Konrad,Joel <jkonrad@cityofkingston.ca>; Gibbs,Kevin <kgibbs@cityofkingston.ca>
Subject: FW: City's Revised Windows Policy

Hi Gentlemen,

Please see below emails from the SDA and Frontenac Heritage. Thoughts and comments? Not everyone is as concerned, but some info would be helpful.

Thank you,

Conny

From a quick review, the main change proposed is the imposition of an obligation on the building owner to have a qualified professional prepare a detailed evaluation of each window in the building as part of the heritage permit application. These will presumably not be cheap (I would guess at minimum of \$500 to \$1,000, but maybe more). Under the existing window policy from 2012 (copy attached) there is no such requirement. From my experience, City heritage staff would meet with the homeowner and review the work proposed to be done, make recommendations, and prepare a report which then went to the Heritage Committee and then Council for approval. This process took

a few months, and getting qualified carpenters to do the work took two or three years. This new policy would appear to be downloading the role previously performed by City heritage staff to the homeowner. This may mean the City is reducing its heritage planning staff or otherwise downsizing. Although presumably they will require staff capable of reviewing these third party reports. (I would note in passing that some of the private professionals working in heritage are former City heritage planning staff, so this change will be good for their business.) I can also say from experience that trying to get old wooden windows and storms to have anything near the energy efficiency of new appropriately styled windows, is not readily achievable. Furthermore, they do not have anything near the practical utility for the user of the window in terms of providing summer ventilation or the ability to air out a room for five minutes in the winter. Replacing a wooden storm window with a screen window to allow ventilation also substantially reduces the ability of the closed interior window to keep out summer heat and humidity, not to mention noise when you are left with only the interior single glazed original window. The City needs to rethink its window policy if it is attaching any sort of priority to making older buildings energy efficient as part of reducing the adverse effects of climate change. The cost of repairing heritage windows tends to exceed the cost of replacing them with appropriate new windows and yet has an inferior result. In any event, these proposed changes will substantially increase the cost of owning a heritage property and living in a heritage conservation district with little apparent improvement from the existing system. It also runs counter to the representations the City makes to building owners when proposing a heritage designation. For example, the City recently designated a number of properties as heritage properties and in connection therewith, stated that designation "means that exterior alterations will be evaluated by the City against the description of your properties heritage attributes." Rather than the City doing this evaluation against the heritage attributes set out in the designation, this proposal requires the owner to pay a third party professional to do an evaluation. And this evaluation appears to extend to the interior, not just the exterior. It also appears to require this evaluation to be done whether or not the windows are actually set out in the heritage designation's description of heritage attributes. I think the SDA should oppose the proposed amendments. They appear to be an unnecessary change to existing guidelines.

Good morning

This week, City staff brought forward a revised Windows Policy to the Heritage Properties Committee.(attached) Interestingly, it was ***brought forward as an Information Report (so not for approval)***.

I am not aware whether staff consulted with either the Sydenham District or the Barriefield District on this. I do know that staff consulted with the Working Group a couple of times. the old Windows Policy dates back to 2012 and it is included in the staff report.

At the meeting on Wednesday, concerns were expressed about a few items, including, not enough clarity that basements windows are also considered, that old (wavy) glass is recognized as being valuable, and process issues (concern that a very detailed policy will allow staff to make more decisions under delegated authority when the matter should come to the Heritage Committee.)

Philip Prell is the staff person dealing with this matter, and if anyone has comments on the matter, they should be directed to his attention. (pprell@cityofkingston.ca) Staff may incorporate further changes and will then bring the matter back to

Committee.

If you know of anyone else who might have an interest in this matter, please feel free to send this message along to them.

Thanks very much, Shirley

--

*Shirley Bailey, President
Frontenac Heritage Foundation
PO Box 27*

Kingston, ON K7L 4V6

343 363 1901

Check out our website at: www.frontenacheritage.ca

FHF is a registered charity: 11923 4250 RR0001



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Connect with Sydenham District Association on [Facebook](#) and [Instagram](#)

Visit our website at sydenhamdistrict.ca

Contact the SDA Board at sdakingston@gmail.com

Sydenham District Association

P.O. Box 582, Kingston, ON, K7L 4X1



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+1 343-363-1901

Feb. 7, 2024

Mr. Phillip Prell
Heritage Planning
City of Kingston
216 Ontario Street
Kingston, ON K7L 2Z3

Re: Report HP-24-006, Information Report to Heritage Properties Committee
'City of Kingston Window Policy and Guidelines'

Dear Phillip,

The Frontenac Heritage Foundation is a not-for-profit charitable organization dedicated to the preservation of structures and sites of cultural and historical interest across the Kingston region. Founded in 1972, the Foundation has provided input on various proposals and development applications.

Staff report HP-24-006, the Window Policy and Guidelines, deals with an important issue which affects not only all heritage districts in the city but all other protected properties under the *Ontario Heritage Act*. We wish to provide the following comments. In general terms, it is clear that much time has been put into this revision, and we appreciate the desire to provide clarity on this matter.

Consultation was limited to the Heritage Properties Working Group, and in our view, should have had a more far-ranging circulation, particularly considering there are active community associations in both Barriefield and Sydenham District. I forwarded the staff report to them for their interest and possible comment, as there may be room for improvement before the new Windows Policy is endorsed by the HK Committee.

The **Interpretation** section of the Policy seems excessively wordy and may benefit with some editing to make it more user friendly for the general public.

Specifically, with regard to the definition of 'qualified professional', we have a concern with promoting the use of **CAHP as requirement for Qualified Professionals**. The CAHP website lists all members across Canada, and of the half dozen experts in the Kingston area that we know of who experts in window evaluation and restoration, only one or two are CAHP members. (Rowse-Thompson, Bray, Gladysz, Letourneau, and Scheinman are all listed under CAHP, but would probably consider themselves as heritage planning professionals and not window experts

specifically) Other window experts like Browne, Downey, Sims and White are not CAHP members but are very experienced in window maintenance and construction.

This means that there is a lot riding on the phrase "...or who have the necessary experience to perform specific related works..." in the definition of 'qualified professional'. It is understandable that by requiring a qualified professional to do these assessments, means that window companies may or may not be excluded from making these assessments, but the situation is being created where the real windows experts in Kingston may not be allowed to do so if too much emphasis is placed on the CAHP accreditation. (Also, the term 'curriculum vitae' might also be replaced by the simpler term 'resume'.)

Relationship to Heritage District Plans – somewhere (perhaps in the Interpretation section) the policy should say that this policy supplements the policies of the HCD Plans, if indeed, that is the intent. HCD Plans are approved by by-law under S. 41 of the *Ontario Heritage Act*, and all three district plans were approved or updated after the 2012 Windows Policy was adopted by Council, so clarity of the intent is needed.

In the case of Market Square HCD Plan, where all properties are heritage protected, S. 5.3.2 (p. 12) states that 'Period windows shall be conserved if they have been identified as heritage attributes of a building.' (p. 12) and we note in the Plan that the descriptions for properties in the district describe nearly all windows as being heritage attributes. Also, under S. 5.3.2, the statement is made in the Plan: 'The alteration of existing windows and their openings shall be done in accordance with the City's *Policy on Window Renovations in Heritage Buildings*. (p. 13). In reading S. 3, Policies, of the document, there is no suggestion that District Plans' policies have any applicability. Some clarification is needed.

Changing Terminology: 'Period Windows' to 'Contributing Windows'. The 2012 Windows Policy referred to 'period windows', and this term is used in the 2013 Market Square HCD, albeit only one time (p. 12). The 2016 Barriefield HCD Plan in S. 4.2.3 uses the term 'original window openings' in several places, which of course conveys the importance of not allowing changes to such openings in protected buildings, (and hopefully not changing the windows). The Old Sydenham HCD Plan uses the term 'heritage-contributing windows' which may be more suitable than the term 'contributing windows'. The point is that clarity is needed on the definition of windows, and it is not readily apparent that the change is warranted, and adopting a term that is used in at least one of the HCD Plans would seem more appropriate.

The definition of 'window' might also refer to the term 'elevations' as referenced in S. 4.5 a) and b).

The Policy should also be clarified to say whether the new windows policy is intended to complement HCD Plan policies. All three District Plans have quite detailed policies dealing with windows. For example, Barriefield 5.2 l) refers to seasonal installation or removal of storm windows and doors in conformity with the City's Windows Policy.

S. 3.4 is somewhat confusing. It states under ss b) the repair of a contributing window does not require an assessment by a qualified professional, but the window restoration is recommended by a qualified professional. How does repair take place without the assessment? This seems to

contradict what is said under S. 3.4 introduction, and ss. a) which both require assessments. Can this be clarified?

Also, if you are relying on the abilities of the qualified professional to repair the window, will the city approve a heritage permit through **delegated authority**? There is a concern that with more detailed policies on window evaluation and repair, the HK Committee will not need to be consulted on these matters.

There is also the legitimate concern that these required assessments by qualified professionals will be an additional cost to the landowner, one that a commercial entity might be able to cover more easily than a residential homeowner. Have you investigated the cost of these assessments to homeowners?

The **interpretation** section needs to explain the difference between S. 3 Policies and S. 4 Guidelines, because it is not readily apparent when reading the document. Presumably, the former has more force. The reader needs to understand the difference.

4.3 This section regarding **storm windows** does not contemplate interior storm windows, and you will recall a meeting about a year ago with Walter Fenlon and Craig Sims at Gildersleeve where these were observed in place in the building and were recommended for his corner office. We note that the Old Sydenham HCD Plan S. 4.3.5 p. 40 includes a policy referring to interior removable storm windows.

Lastly, we note that certain provisions in the 2012 Windows Policy have now been deleted – the guidelines for windows on non-protected heritage properties, and also the general comment about energy efficiency. Again, including these provisions might answer questions which might be raised by the public, thereby making the document more helpful to the landowner.

Thank you for this opportunity to comment on this proposal. Should you wish to discuss these comments, I would be pleased to do so.

Sincerely,



Shirley Bailey, President
Frontenac Heritage Foundation





City of Kingston
Information Report to Kingston Heritage Properties Committee
Report Number HP-24-015

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: March 20, 2024

Subject: Update on Response to Bill 23 Changes to the *Ontario Heritage Act*

Council Strategic Plan Alignment:

Theme: Corporate business

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

Executive Summary:

On May 17, 2023, staff provided a report to the Heritage Properties Committee which addressed recent changes to several pieces of provincial legislation, including the *Ontario Heritage Act* (OHA), as a result of Bill 23, the *More Homes Built Faster Act, 2022*. That report ([HP-23-018](#)) outlined details on changes to the OHA as a result of the *More Homes Built Faster Act* and provided a workplan to designate or de-list the 312 non-designated properties then listed on the City of Kingston's Heritage Register.

This report provides an update on the progress of this designation project and the results of the City of Kingston's Heritage Register update. This report is for informational purposes only and does not recommend alternative or additional activities or approaches.

Recommendation:

This report is for information only.

March 20, 2024

Page 3 of 7

Options/Discussion:

The City of Kingston has played a significant role in heritage conservation in the province for over 50 years and is a leader in heritage conservation within the province and nationally. As noted in Section 7 of the City's *Official Plan*, cultural heritage resources "play a key role in the City's identity, and contribute to its economic prosperity as well as the cultural enrichment of its residents and visitors." The OHA ensures that municipalities like the City of Kingston can protect heritage resources that are valuable to the community.

Background

Section 29 of the OHA authorizes the Council of a Municipality to enact by-laws to designate real property of cultural heritage value or interest. Known as Part IV designations, these protections ensure that the heritage value of a single property, expressed through its physical heritage attributes, are conserved.

Several recent legislative changes have been made to the process through which municipalities in Ontario enact Part IV designations. In 2020, changes to the OHA created a two-tier appeal process for new designations. In 2022, additional changes were made to the OHA that require properties evaluated for Part IV designation to meet two 'Criteria for Determining Cultural Heritage Value or Interest' of Ontario Regulation (O. Reg.) 9/06, where previously these properties were only required to meet one.

On January 1, 2023, the *More Homes Built Faster Act* resulted in further changes to the OHA. These included an update to the position of non-designated properties identified on the City of Kingston's Municipal Heritage Register (the Register). Prior to this change, municipalities could place properties on the Register if those properties were believed to have potential cultural heritage value or interest. Non-designated properties placed on the Register could remain in perpetuity, offering some protection through lengthened review periods for demolition proposals and impact considerations in response to a prescribed event (such as an Official Plan Amendment, Zoning By-law Amendment or Subdivision Application). The recent changes now require a term limit of two years for Listed (non-designated) properties on the Register. Once this two-year period has elapsed, non-designated properties cannot be included on the Register for a period of five years. As such, any non-designated properties remaining on the Register as of December 31, 2024 cannot be relisted until January 1, 2030.

New requirements were also enacted regarding the information presented in Municipal Heritage Registers. Under section 27(2) of the OHA, a Register now "shall contain, with respect to each [municipally designated] property (a) a legal description of the property; (b) the name and address of the owner; and (c) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property." These updates to the Register were required by July 1, 2023.

March 20, 2024

Page 4 of 7

In response to these recent changes in provincial policy, the City of Kingston's Heritage Planning staff have commenced a program ('Designation Project') to designate properties currently listed on the Register that meet the requirements for designation under Part IV of the OHA and to update the Register with the required information. This report provides an update on the status of the Designation Project and Municipal Heritage Register updates.

Designation Project

City of Kingston Heritage Planning staff continue to advance the work plan set out in [Report Number HP-23-018](#). Examples of work associated with the Designation Project include reviewing all non-designated properties currently listed on the City's Heritage Register; evaluating properties using O. Reg. 9/06; writing designation by-laws as applicable; communicating with homeowners (through mailings of information and draft by-laws, holding open house meetings, and answering queries and addressing concerns via in-person, telephone and email communication) to provide information on the designation process and its implications; and preparing and presenting batch designation reports to the Heritage Properties Committee and Council. Some tasks, including property evaluations and preparing by-laws, have benefited from the additional support of the private consulting firm Heritage Studio.

Advancement of the heritage designation project has been possible through the organization of properties into discrete 'blocks' using several criteria such as heritage value, available data, and risk of loss or alteration. Generally, the block organization noted in [Report Number HP-23-018](#) has been carried forward to include the following broad categories:

Block 1: Properties in this group have been assessed and found to meet the O. Reg. 9/06 criteria for designation.

Block 2: Properties in this group have some research completed but have not been evaluated using O. Reg. 9/06 and, therefore, require additional work to determine if they meet the current criteria for designation.

Block 3: Properties in this group have limited research completed but have a high degree of public interest due to their perceived heritage value. Properties in this block may also be located in an area where development or intensification is anticipated.

Block 4: Properties in this group have been determined not to meet two criteria outlined in O. Reg. 9/06. As such, these properties will not be brought forward for designation, though they will remain on the Register until January 1, 2025.

Of the 311 non-designated properties listed on the City of Kingston's Heritage Register in May 2023, 35 are either designated/owned by the federal or provincial governments or are owned by the City of Kingston or Queens University. As a result of this existing protection, these properties were not prioritized for designation as part of this project. Of the 276 non-designated properties remaining on the City of Kingston's Heritage Register, 103 properties are classified within

March 20, 2024

Page 5 of 7

Blocks 1, 2 and 3 have now been either designated under Part IV of the OHA or are currently in the process of designation; the 55 properties in Block 4 do not meet the criteria outlined in O. Reg. 9/06; 37 properties remain in Block 1; and 81 properties remain in Block 2 requiring further evaluation to determine if they meet the criteria for designation.

As further research and evaluations are advanced, it is possible for a property to move from one Block to another depending on its priority level and value established through meeting or exceeding the O. Reg. 9/06 criteria. It is anticipated that all properties in Block 1 will be brought to the Heritage Properties Committee by the end of 2024. Block 2 properties will be evaluated using O. Reg. 9/06 and, if they meet the minimum threshold for designation, these properties will be moved forward to the Heritage Properties Committee as soon as possible. It is possible that some properties in Block 2 will not meet the minimum threshold and will be moved to Block 4. Heritage Planning staff have also been working with members of the community to research and evaluate those properties within the City that should be included in Block 3, and it is anticipated that those properties that meet the provincial criteria will be brought to committee for designation by the end of 2024. Properties in Batch 4 will not be designated as they either do not meet the minimum threshold for designation under the OHA or they have not been prioritized as part of the Designation Project.

A process for objections to the designation of a property is set out in the OHA through Section 29 of the Act. Any notice of objection that is received by the Clerk’s Office is sent to City Council for consideration. Council then has 90 days to decide either to withdraw the Notice of Intention to Designate or to pass a by-law designating the property. If a designation by-law is passed, changes to the OHA in 2020 have resulted in the public having a second opportunity to object to the designation by appealing to the Ontario Land Tribunal. This appeal must be within 30 days of the publication of the notice of passing in a newspaper of record. The Tribunal’s role is to review the appeal, hold a hearing and render a binding decision on the designation. As of February 15, 2024, five objections have been received by the Clerk’s Office from owners of properties proposed for designation as part of the City of Kingston’s Designation Project. Two of those objections have been resolved, with Council deciding to proceed with passing by-laws to designate the properties; one objection is scheduled to be considered by Council on April 2, 2024; and two are scheduled to go to Council on May 7, 2024.

The table below outlines the status of the 276 properties in Blocks 1 - 4 as of February 15, 2024:

Block	Total Properties	Properties Designated/ In the Process of Designation	Remaining Properties to be Designated or Evaluated Using O. Reg. 9/06
Block 1	83	46	37

March 20, 2024

Page 6 of 7

Block 2	129	48	81
Block 3	9	9	0
Block 4	55	NA	NA
Total	276	103	118

Changes to the Municipal Heritage Register

Changes to the OHA through the *More Homes Built Faster Act* required several alterations to the City of Kingston’s Heritage Properties Register. New stipulations regarding public accessibility requires all municipalities to provide a legal description, name and address of owner, and statement of cultural heritage value or interest with a list of attributes for each municipally designated property.

The Heritage Planning Team, with the support of Legal Services and the Planning Services department’s Geographic Information Systems (GIS) team, completed a comprehensive update of the Register to ensure it was compliant with updated requirements. This work included:

- Update of existing register to include all listed and designated properties;
- Inclusion of Statement of Cultural Heritage Value or Interest for each property designated under Part IV of the OHA;
- Inclusion of List of Attributes for each property designated under Part IV of the OHA;
- Inclusion of updated legal description of each property;
- Inclusion of name and address of owner; and
- Change of format used for Municipal Heritage Register from PDF document to interactive GIS Mapping.

The updated Register GIS map is available to the public on the City of Kingston’s website: <https://www.cityofkingston.ca/residents/heritage-conservation/properties-register>

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)

March 20, 2024

Page 7 of 7

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

Contacts:

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

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

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



City of Kingston
Report to Kingston Heritage Properties Committee
Report Number HP-24-010

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: March 20, 2024

Subject: Application for Ontario Heritage Act Approval

Address: 52 Clergy Street East (P18-1186)

File Number: P18-078-2023

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

The subject property at 52 Clergy Street East is located midblock on the east side of Clergy Street East, between Johnson Street and William Street. The property was 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* (P18-078-2023) has been submitted to request approval to remove the buildings existing chimney and rebuild it like-for-like.

This application was deemed complete on January 16, 2024. 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 April 15, 2024.

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

March 20, 2024

Page 2 of 10

Recommendation:

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

That the alterations on the property at 52 Clergy Street East, be approved in accordance with the details described in the applications (File Number P18-078-2023), which was deemed complete on January 16, 2024, with said alterations to include:

1. The partial demolition of the chimney;
2. The reconstruction of the chimney, to include:
 - a. Like-for-like dimensions, detailing, design and bond pattern;
 - b. The use of reproduction bricks that match the existing as closely as possible;
 - c. Step flashing, as well as a cricket, where necessary;
 - d. The use of appropriate 1:1:6 mortar;
 - e. The salvage and reuse of material, where possible;
 - f. The installation of a new chimney cap which meets *Ontario Building Code*; and

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

1. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
2. The conditions of the current chimney, including dimensions and materials, shall be documented, and provided to Heritage Planning staff for documentation purposes;
3. An Encroachment Permit and/or Temporary Access Permit shall be obtained, where necessary;
4. A Building Permit shall be obtained;
5. Details, including materials, dimensions and colour(s) of the new chimney and new chimney cap shall be submitted to Heritage Planning staff, prior to construction, for final review and approval;
6. Any salvageable materials from the existing chimney shall be used in the rebuild; and
7. 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.

March 20, 2024

Page 3 of 10

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, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

March 20, 2024

Page 4 of 10

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

The subject property, with the municipal address of 52 Clergy Street East, is located midblock on the east side of Clergy Street East, between Johnson Street and 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, three bay, brick structure designated under Part V of the Ontario Heritage Act.

The existing chimney on the property is failing, and the applicant expressed to staff that water has started penetrating the building. An inspection was completed by Kington Masonry Service (KMS), and it was determined that maintenance could not be satisfied through repairs and that a complete tear down and rebuild was recommended (Exhibit B – KMS Letter).

An application for partial demolition and construction under Section 42 of the Ontario Heritage Act (File Number P18-078-2023) has been submitted to request approval to remove the current chimney, which is reaching its end-of-life, and to reconstruct the chimney like-for-like, while meeting *Ontario Building Code* (Exhibit C – Concept Plan).

The applicant has not been able to provide Heritage Planning staff with exact measurements and dimensions of the chimney; however, they assure that the proposed reconstruction of the chimney will be completed using like-for-like detailing and dimensions. As part of this application, a condition of approval has been included requiring the applicant to document the conditions of the existing chimney (including dimensions and measurements), prior to any works starting, and to provide Heritage Planning staff with the recorded findings for final review and approval.

Furthermore, the new chimney will be constructed with reproduction bricks that match the existing as closely as possible, and the mortar being used is of a 1:1:6 ratio, which is appropriate as per the City's Policy on Masonry Restoration in Heritage Buildings. As part of the chimney rebuild, a new chimney cap will be installed; the applicant has expressed to staff that the new chimney cap will have no noticeable changes from the existing. As part of this application staff have ensured to include, as a condition of approval, that any salvageable materials shall be used in the reconstruction.

This application was deemed complete on January 16, 2024. 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 April 15, 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.

March 20, 2024

Page 5 of 10

Reasons for Designation/Cultural Heritage Value

The subject property was designated under Part V of the Ontario Heritage Act through the Old Sydenham Heritage Area Heritage Conservation District Plan. The Property Inventory Form from the Old Sydenham Heritage Area Heritage Conservation District Plan states the following:

“This residence, along with 50 Clergy, was designed c 1888 (city directories) probably by Robert Gage, the noted late 19th century Kingston architect and son-in-law and brother-in-law to the owners of adjacent 44, 46 and 48 Clergy, respectively.”

Furthermore, the Property Inventory Form goes on to state that *“the architect has used a wide range of features and materials to create a prestigious residence at the centre of the streetscape and beside the lane”*.

The subject property has many features and materials, including but not limited to, the terra cotta panels above the first storey window openings, and a limestone stringcourse that is integrated with the voussoirs on the second storey window openings. Additionally, ‘fish scale’ shaped wood shingles have been incorporated into the buildings design, along with a sunburst motif and the use of brackets on parts of the eaves.

The subject property has many architectural details, all of which contribute to the heritage value of the property and the District as a whole. While the Property Inventory Form does not explicitly speak of the building’s chimney, the Old Sydenham Heritage Conservation District Plan clearly considers chimneys to be important features worth conserving, as discussed in Section 4.3 of the Old Sydenham Heritage Conservation District Plan.

The property is identified as Significant to the District in The Old Sydenham Heritage Area Heritage Conservation District Plan Property Inventory Form (Exhibit D).

Cultural Heritage Analysis

Staff visited the subject property on January 17, 2024.

The property at 52 Clergy Street East is a reasonably prominent building within Old Sydenham HCD, located midblock on the streetscape, with extending bays, and enhanced visibility from the northwest due to its position on a laneway that runs along the north property line. The chimney that is being considered in this application is located on the northern side of the building, adjacent to the laneway.

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

The subject property is located within the Beyond Bagot sub-area of the Old Sydenham HCD on the east side of Clergy Street East, midblock between Johnson Street and William Street – located adjacent to a laneway. Section 2.3.3 (Beyond Bagot) lists several heritage attributes of this sub-area, including “a wide range of building types, materials and ages”, “buildings

March 20, 2024

Page 6 of 10

associated with some of Kingston's best architects", and "rear lanes on some blocks". Within the sub-area of Beyond Bagot, there are many structures that were built by some of Kingston's best architects, ranging from grand manors to smaller detached dwellings and terraces/row housing. The Beyond Bagot sub-area is also notorious for having irregular shaped blocks with a mix of land uses and many important landmarks.

From the subject property, when looking north on Clergy Street East, towards Johnson Street, an individual can clearly view St. Mary's Cathedral, a known landmark in Kingston. Moreover, the subject property was likely designed by Robert Gage, a well-known Kingston architect who is recognized for designing several Kingston landmarks, such as the Mackenzie Building for the Royal Military College.

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

Section 4.3.1 (Roofs) speaks to conservation guidelines related to chimneys and states that where a chimney requires work, the owner should "repair/replace deteriorated material with like materials and replicate original detailing and bond pattern." To prevent moisture penetration, the owner should "ensure that where the chimney meets the roof, matching step flashing and crickets are installed."

The proposed rebuild of the chimney will be completed by replicating the existing detailing, bond pattern and dimensions. Furthermore, the new chimney will be constructed with reproduction bricks that match the existing as closely as possible, and the mortar being used is a 1:1:6 ratio, which is appropriate as per the City's Policy on Masonry Restoration in Heritage Buildings. As part of the chimney rebuild, a new chimney cap will be installed as well. The applicant has expressed to staff that the new chimney cap will have no noticeable changes from the existing. The applicant has also expressed that there is moisture penetrating the building, therefore, as part of this application, step flashing will be installed, as well as a cricket, where necessary.

As part of this application staff have included a condition of approval, noting that the applicant shall reuse any salvageable material(s) in the chimney reconstruction.

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

Section 5.2.1 (Alterations) states that one should "model replacement features and building forms on the originals in style, size, proportions and materials, whenever possible," and that one should "record the alteration and retain samples of original materials that have been replaced."

This application proposes to rebuild the chimney located along the north side of the property, adjacent to the laneway. The reconstruction of the chimney will be modeled based on the chimney's original proportions, materials and design. The applicant has communicated that they were unable to provide Heritage Planning staff with the exact dimensions of the existing chimney prior to applying for this permit; however, through the use of scaffolding, these details, along with photographs and other documentation, will be provided to Heritage Planning staff, as a condition of approval, prior to any work starting.

March 20, 2024

Page 7 of 10

The applicant has also expressed to staff that the new chimney cap will have no noticeable changes from the existing. Furthermore, the new chimney will be constructed with reproduction bricks that match the existing as closely as possible, and the mortar being used is a 1:1:6 ratio, which is appropriate as per the City's Policy on Masonry Restoration in Heritage Buildings. In addition, any salvageable materials will be reused in the reconstruction of the chimney.

Staff supports the proposed removal and rebuild of the chimney, using like-for-like design, materials and proportions, to restore the chimney, address the water penetration issues, and ensure it continues to be in compliance with Ontario Building Code standards.

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 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.
- Standard 13 (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Repair rather than replace character-defining elements from the restoration period. 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.
- Principle 1 'Respect for documentary evidence' (Eight Guiding Principles in the Conservation of Built Heritage Properties, Ministry of Heritage, Sport, Tourism and Culture Industries): Do not base restoration on conjecture. Conservation work should be based on historic documentation such as historic photographs, drawings and physical evidence.

March 20, 2024

Page 8 of 10

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 Properties. Overall, the application is supported by Heritage Planning staff. The rebuild of the chimney will be like-for-like, using the existing dimensions, design and bond pattern, while any salvageable materials will be reused in the new construction. Furthermore, the proposal adheres to Section 4.3.1 and 5.2.1 of the HCD Plan and, due to the like-for-like restoration, this proposal will have a neutral impact on the heritage value of the property and the Old Sydenham Heritage Conservation District.

Comments from Department and Agencies

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

Building Services:

A building permit is required for the scope of work proposed. The homeowner can design the changes or a qualified designer.

Public Works:

If scaffolding or other equipment is required, and has to be placed on City property, an encroachment and or other permits may be required. No objections.

Utilities Kingston:

Utilities Kingston has no issues or concerns with this heritage application.

Engineering:

No Engineering concerns with this application. If during construction the site is accessed from any other location than the driveway a temporary access permit will be required. If the municipal property including the laneway adjacent to this property is being obstructed during the works, an encroachment permit will be required. Information on the required permits can be obtained by contacting transportation@cityofkingston.ca.

Storm Water Review:

Not required

Noise Review:

Not required

Traffic Review:

No comments

March 20, 2024

Page 9 of 10

Active Transportation:

No comments

Planning Services:

No objections to the proposed replacement chimney, provided that the replacement chimney is the same size and has the same location as the existing chimney.

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 E.

Conclusion

Staff recommends approval of the application File Number (P18-078-2023), 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

City of Kingston Official Plan

City of Kingston's Policy on Masonry Restoration in Heritage Buildings

Notice Provisions:

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

Contacts:

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

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

March 20, 2024

Page 10 of 10

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

Exhibits Attached:

Exhibit A Context Map and Site Photos

Exhibit B KMS Letter

Exhibit C Concept Plan

Exhibit D Property Inventory Form

Exhibit E Correspondence Received from Heritage Properties Committee

Exhibit F Final Comments from Kingston Heritage Properties Committee March 20, 2024



Kingston Heritage Properties Committee
Neighbourhood Context

Address: 52 Clergy St E
File Number: P18-078-2023
Prepared On: Jan-17-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Site Photos of 52 Clergy Street East



Above: Looking southwest at 52 Clergy St. E from the sidewalk.

Below: Chimney seen from the adjacent laneway.





890 Grandour Court
Kingston, Ontario
K7M 7X5

613-217-7771

Heritage Chimney Tear Down and Rebuild

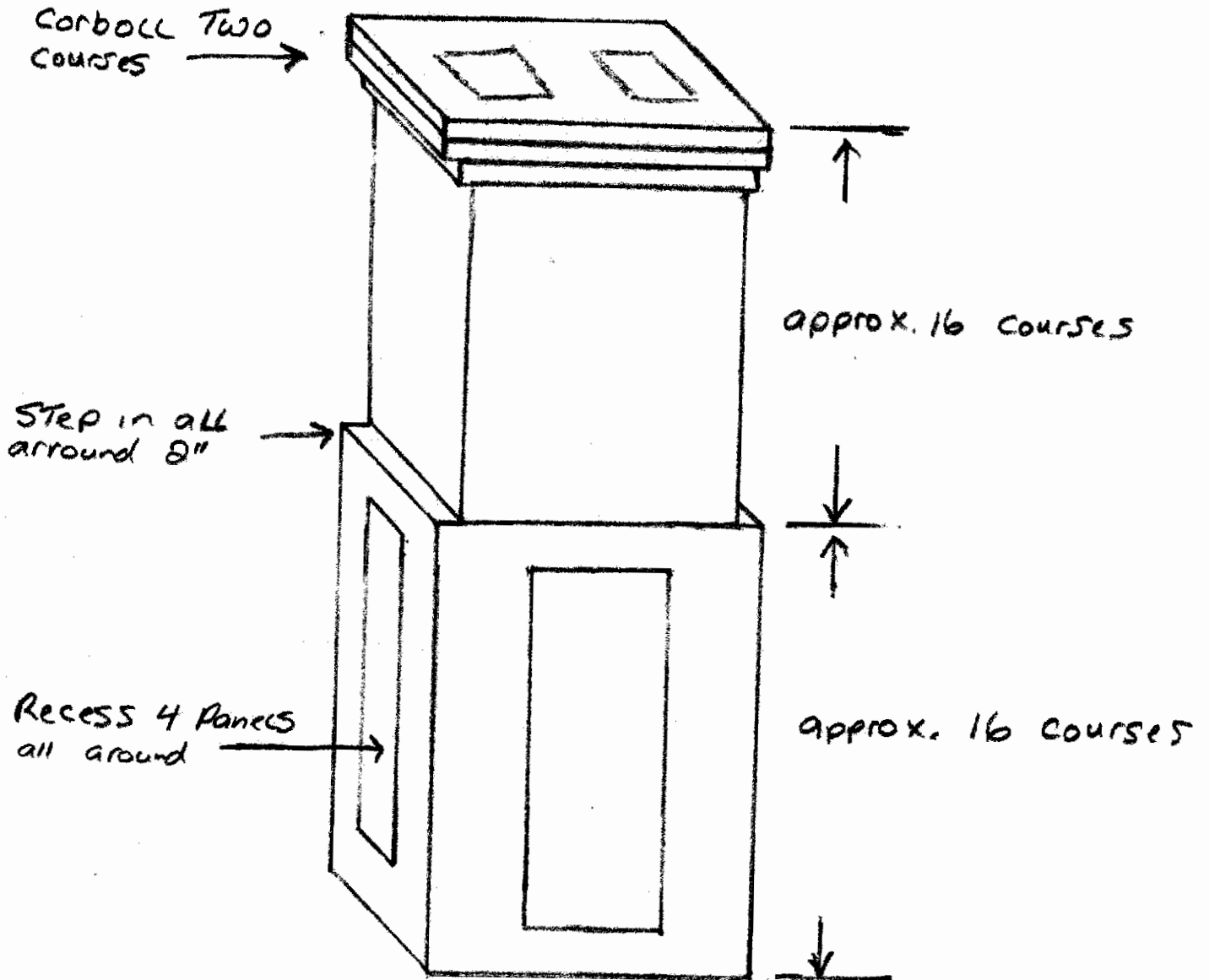
This letter is to address the chimney at 52 Clergy Street residence. The chimney was assessed and it was determined that the original structure could not be maintained with minor repairs. Therefore, a complete tear down and rebuild is recommended. The size of the chimney is approximately 26" x 40" x 8'.

A similar, reproduction heritage brick will be used in the new build, with a 1:1:6 mortar blend being used in the construction. Also, a small metal cap will be custom made to fit the top of the chimney, as a preventative maintenance. The chimney will be reconstructed to match the original chimney structure design.

Thank you

A handwritten signature in blue ink that reads "Paul Moniz". The signature is written in a cursive style with a large initial "P".

Paul Moniz
Owner/Operator



- match existing height
- add a metal cap on top

52 CLERGY STREET EAST**Built: c. 1888****Architect: attrib. Robert Gage****Rating: S**

J. Mck.



This residence, along with 50 Clergy, was designed c 1888 (city directories) probably by Robert Gage, the noted late 19th century Kingston architect and son-in-law and brother-in-law to the owners of adjacent 44, 46 and 48 Clergy, respectively. Architectural drawings for 50-52 Clergy are at the Queen's University Archives.* William Irving Sr. (44-46) and Jr. (48) were partners in an important contracting firm with which Robert Gage originally apprenticed as a carpenter. Gage, who arrived in Canada from Ireland in 1852, went on to design such Kingston area landmarks as the Education Building (now Mackenzie Building) for the Royal Military College (1877). He was the architect as well for the 'palatial' Allison House, Adolphustown, of that same year. His residential work is well represented on this block with 50 Clergy and 290-292 Johnson. His career is another example of a 19th century architect deeply rooted in the building trades.

The building appears on the 1892 fire insurance plan.

At 52 Clergy Street, the architect has used a wide range of features and materials to create a prestigious residence at the centre of the streetscape and beside the lane. Its centred entrance inset between two full height projecting bays is unique on the street. However, there is actually asymmetry between these

* Christine O'Malley, Nicola Spasoff & Lorna Spencer. *Clugston Collection of Architectural Drawings* (Kingston: Queen's University Archives, 1992. : 19-20.

bays, with the angled north bay larger than the rectangular 'standing proud' section of brick wall which constitutes the south bay. While most elements are repeated at both bays, a number are distinct to one or the other. Both share a cut stone foundation and water table; both have 'whorled' terra cotta panels above the 1st storey window openings and a rock-faced limestone stringcourse integrated with the rock-faced voussoirs (center windows) and lintels span the 2nd floor window openings. The windows of the south bay and the center of the north bay are paired while the other units at the north are narrow individual units; the arch over the south bay ground storey window is brick while that at the north is rock faced ashlar integrated into a string course as above. In similar fashion, though the faces of the cross gables are each clad in 'fish scale' shaped wood shingle, the peak of the pedimented treatment of the north bay is extended outward as a gabled hood over the window with a sunburst motif at the face of the gable. Paired brackets are used at the eave of the south and center inset bay while corbels 'carry' the deep eave of the north bay. The center dormer brings yet other features into play with a particularly heavily moulded pediment and round colonettes flanking the window. The porch too is quite decorative with paired paneled columns and a centre-gabled dentillated roof. The main entrance is through double leaved glazed and paneled doors with a distinctive pointed transom.

While the facade treatment is interesting with its conscious tension between both major elements and details the total composition is somewhat less integrated and detailing less subtle than many of Gage's works.

52 Clergy Street is a prominent structure at the center of the streetscape. Its profile is enhanced by its position adjacent to the lane, particularly as viewed from the northwest and by its architecture featuring extended bays surmounted by large cross gables.*

* Text from Bray et al., *Old Sydenham Heritage Area Conservation Study: Cultural Heritage Resource Inventory and Evaluation Report*, 2009. Research by Jennifer McKendry; description by André Scheinman.

Kingston Heritage Properties Committee

Summary of Input from Technical Review Process

P18-078-2023

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		



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

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

where history and innovation thrive

Date:	January 15, 2024
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Peter Gower
Application Type:	Heritage Permit
File Number:	P18-078-2023
Property Address:	52 CLERGY ST

Description of Proposal:

The subject property is designated under Part V of the Ontario Heritage Act, located in the Old Sydenham HCD. The applicant has expressed to staff that the subject property's existing chimney is missing mortar, water has begun to penetrate into the building, and that the chimney is at its end-of-life and is now failing. Kingston Masonry Services (KMS) was obtained by the applicant to assess the existing chimney and determined that the chimney can not be maintained nor can it be repaired. It has been recommended that the chimney should be removed and rebuilt. This application is seeking Heritage Act approval to remove the existing chimney and rebuild it like-for-like (same dimensions, and design details). It has been noted that reproduction heritage brick will be used in the rebuild, with a 1:1:6 mortar blend being used in the construction. The applicant has also indicated to staff that there should be no noticeable changes to the appearance of the existing chimney cap when replaced. The applicant has submitted plans and supporting documentation which can be found on DASH.

Comments for Consideration on the Application:

I have no concerns with this application, so long as the end result duplicates the original as closely as possible.

Recommended Conditions for the Application:

Staff to ensure that brick and mortar are the most appropriate in this situation.



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

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

where history and innovation thrive

Date:	January 16, 2024
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Ann Stevens
Application Type:	Heritage Permit
File Number:	P18-078-2023
Property Address:	52 CLERGY ST

Description of Proposal:

The subject property is designated under Part V of the Ontario Heritage Act, located in the Old Sydenham HCD. The applicant has expressed to staff that the subject property's existing chimney is missing mortar, water has begun to penetrate into the building, and that the chimney is at its end-of-life and is now failing. Kingston Masonry Services (KMS) was obtained by the applicant to assess the existing chimney and determined that the chimney can not be maintained nor can it be repaired. It has been recommended that the chimney should be removed and rebuilt. This application is seeking Heritage Act approval to remove the existing chimney and rebuild it like-for-like (same dimensions, and design details). It has been noted that reproduction heritage brick will be used in the rebuild, with a 1:1:6 mortar blend being used in the construction. The applicant has also indicated to staff that there should be no noticeable changes to the appearance of the existing chimney cap when replaced. The applicant has submitted plans and supporting documentation which can be found on DASH.

Comments for Consideration on the Application:

There is no doubt that chimney is in bad condition. I am pleased to see the effort being made to replicate the original.

Recommended Conditions for the Application:

All necessary planning and engineering is in place.



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

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

Date:	January 29, 2024
Form:	Heritage Properties Committee Reviewer Form
Reviewer Name:	Jane McFarlane
Application Type:	Heritage Permit
File Number:	P18-078-2023
Property Address:	52 CLERGY ST

Description of Proposal:

The subject property is designated under Part V of the Ontario Heritage Act, located in the Old Sydenham HCD. The applicant has expressed to staff that the subject property's existing chimney is missing mortar, water has begun to penetrate into the building, and that the chimney is at its end-of-life and is now failing. Kingston Masonry Services (KMS) was obtained by the applicant to assess the existing chimney and determined that the chimney can not be maintained nor can it be repaired. It has been recommended that the chimney should be removed and rebuilt. This application is seeking Heritage Act approval to remove the existing chimney and rebuild it like-for-like (same dimensions, and design details). It has been noted that reproduction heritage brick will be used in the rebuild, with a 1:1:6 mortar blend being used in the construction. The applicant has also indicated to staff that there should be no noticeable changes to the appearance of the existing chimney cap when replaced. The applicant has submitted plans and supporting documentation which can be found on DASH.

Comments for Consideration on the Application:

The rebuilt chimney should replicate the original as described and the chimney cap reflect the lowest profile necessary to meet code requirements.

Recommended Conditions for the Application:

None.

**Summary of Final Comments at March 20, 2024 Kingston Heritage Properties
Committee Meeting** [To be added following the meeting.]



**City of Kingston
Report to Heritage Properties Committee
Report Number HP-24-014**

To: Chair and Members of the Heritage Properties Committee
From: Jennifer Campbell, Commissioner, Community Services
Resource Staff: Kevin Gibbs, Director, Heritage Services
Date of Meeting: March 20, 2024
Subject: Notice of Intention to Designate under the *Ontario Heritage Act*
Addresses: 1193 Front Road; 123-129 Princess Street; 1359 Unity Road; 26-34 Barrie Street; 2638 Kepler Road; 3578 Unity Road; 62-74 Barrie Street; 9 & 11 Colborne Street; 22 Colborne Street; 30 Colborne Street & 37 Kennedy Street
File Numbers: R01-016-2024, R01-015-2024, R01-018-2024, R01-011-2024, R01-012-2024, R01-013-2024, R01-014-2024, R01-002-2020, R01-003-2020, R01-009-2024, R01-010-2024 and R01-017-2024

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

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

This report provides background information regarding the evaluation of twelve (12) properties to determine their cultural heritage value and interest. The properties at 1193 Front Road, 123-129 Princess Street, 1359 Unity Road, 26-34 Barrie Street, 2638 Kepler Road, 3578 Unity

March 20, 2024

Page 2 of 10

Road, 62-74 Barrie Street, 9, 11, 22 and 30 Colborne Street, and 37 Kennedy Street were found to exceed the threshold established by the Province of Ontario for Designation under Part IV of the *Ontario Heritage Act*. It should be noted that portions of the two properties on Barrie Street were previously designated under the Act in 1987. Amendments to those by-laws are being proposed herein to meet the current by-law standards and to include those buildings on the properties that are currently listed but not included in the existing designation.

The owners of the properties listed above have been provided with the draft designation by-laws and general information on heritage designations by registered mail. The owners were also invited to an open house on February 21, 2024, hosted by Heritage Planning staff. The properties meet the provincial criteria for evaluating cultural heritage value as set out in Ontario Regulation 9/06 and are thus recommended for designation.

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

Recommendation:

That Kingston Heritage Properties Committee recommends to Council:

That Council direct staff to serve a Notice of Intention to Designate the property located at 1193 Front Road, known as the Grass 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-24-014; 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 1193 Front Road, attached as Exhibit B to Report Number HP-24-014, 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 123-129 Princess Street, known as Foster 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-24-014; 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 123-129 Princess Street, attached as Exhibit C to Report Number HP-24-014, 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

March 20, 2024

Page 3 of 10

That Council direct staff to serve a Notice of Intention to Designate the property located at 1359 Unity Road, known as the Hunter Farmhouse, 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-24-014; 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 1359 Unity Road, attached as Exhibit D to Report Number HP-24-014, 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 Proposed Amendment/Notice of Intention to Designate the property located at 26-34 Barrie Street, pursuant to Sections 29 and 30.1 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-014; 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, the Designation By-Law for 26-34 Barrie Street, attached as Exhibit E to Report Number HP-24-014, 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 2638 Kepler Road, known as the Powley Farmhouse, 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-24-014; 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 2638 Kepler Road, attached as Exhibit F to Report Number HP-24-014, 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 3578 Unity Road, known as the Raycroft Farmhouse, 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-24-014; 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 3578 Unity Road, attached as Exhibit G to Report Number HP-24-014, 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 Proposed Amendment/Notice of Intention to Designate the property located at 62-74 Barrie Street, pursuant to Sections 29 and 30.1 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-014; and

March 20, 2024

Page 4 of 10

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, the Designation By-Law for 62-74 Barrie Street, attached as Exhibit H to Report Number HP-24-014, 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 9 Colborne 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-24-014; 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 9 Colborne Street, attached as Exhibit I to Report Number HP-24-014, 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 11 Colborne 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-24-014; 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 11 Colborne Street, attached as Exhibit I to Report Number HP-24-014, 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 22 Colborne 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-24-014; 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 22 Colborne Street, attached as Exhibit J to Report Number HP-24-014, 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 30 Colborne Street, known as the Queen Street Methodist Church Parsonage, 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-24-014; 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 30 Colborne Street, attached as Exhibit K to Report Number HP-24-014, 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

March 20, 2024

Page 5 of 10

That Council direct staff to serve a Notice of Intention to Designate the property located at 37 Kennedy Street, known as Henley Camerson 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-24-014; 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 37 Kennedy Street, attached as Exhibit L to Report Number HP-24-014, 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.

March 20, 2024

Page 6 of 10

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

March 20, 2024

Page 7 of 10

Options/Discussion:

This report provides background information regarding the reasons for designating the following twelve (12) properties, in order to conserve their cultural heritage value and interest. This report recommends serving a Notice of Intention to Designate (Exhibit A) under Section 29 of the *Ontario Heritage Act* on the following properties:

- 1193 Front Road, known as the Charles Grass House (R01-xx-2024);
- 123-129 Princess Street, known as Foster Building (R01-xx-2024);
- 1359 Unity Road, known as the Hunter Farmhouse (R01-xx-2024);
- 26-34 Barrie Street, known as the Cappon House, Bibby House & Strange House (R01-xx-2024);
- 2638 Kepler Road, known as the Powley Farmhouse (R01-xx-2024);
- 3578 Unity Road, known as the Raycroft Farmhouse (R01-xx-2024);
- 62-74 Barrie Street, known as the Chown, Doran, Robinson, Mooers & Walkem Houses (R01-xx-2024);
- 9 Colborne Street (R01-002-2020);
- 11 Colborne Street (R01-003-2020);
- 22 Colborne Street (R01-xx-2024);
- 30 Colborne Street, known as the Queen Street Methodist Church Parsonage (R01-xx-2024); and
- 37 Kennedy Street, known as the Henley Cameron House (R01-xx-2024).

Two of the properties noted above, namely 26-34 Barrie Street and 62-74 Barrie Street, include multiple buildings on a single lot. In 1987, 34 Barrie and 72-74 Barrie were designated under Part IV of the *Ontario Heritage Act* through By-Law Number 87-322. The current designation does not extend beyond the boundaries of the then (1987) lot configuration. Further, the 1987 by-law does not conform to the current requirements for designation by-laws under the recently amended Act. As part of this process, staff are recommending an amendment be made to By-Law Number 87-322 to broaden the reasons for designation to include all buildings of cultural heritage value on the sites and to bring the by-law into conformity with the current Act.

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. Section 30 of the *Ontario Heritage Act* authorizes the Council of a municipality to amend by-laws previously enacted under Section 29 of the Act. Council shall, before giving notice of its intention to designate a property or amend a by-law, consult with its Municipal Heritage Committee when the Council of a municipality has appointed a Municipal Heritage Committee (Kingston Heritage Properties Committee).

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.

March 20, 2024

Page 8 of 10

Background

Through [Report Number HP-23-018](#), staff were directed to undertake the disposition of listed properties on the City of Kingston Heritage Register. The twelve (12) properties noted here are part of the disposition process whereby staff are evaluating, reviewing and advancing for designation those currently listed properties that meet at least two of the Provincial Criteria for Determining Cultural Heritage Value or Interest (Ontario Regulation 9/06).

Process

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

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

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

Analysis

The twelve (12) properties being advanced for heritage designation are currently included on the City of Kingston Heritage Register as non-designated properties of cultural heritage value (also known as Listed properties). Council listed 123-129 Princess Street, 26-34 Barrie Street, 62-74 Barrie Street, 22 and 30 Colborne Streets and 37 Kennedy Street in 2010. 1193 Front Road, 1359 Unity Road, 2638 Kepler Road, 3578 Unity Road and 9 and 11 Colborne Streets were listed in 2016.

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

March 20, 2024

Page 9 of 10

All by-laws were prepared by staff or the consulting firm Heritage Studios. The Heritage Properties Working Group has reviewed the draft by-laws and supports the designation of the subject properties as properties of cultural heritage value and interest. The full statements of significance, including lists of attributes are included in the draft designation by-laws attached as Exhibits B through L. Photographs of each property are included in Exhibit M.

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

Public Engagement

All owners were contacted by registered mail on February 6, 2024. Included with the cover letter was a copy of the draft by-law and an information sheet on heritage designations. A public open house meeting was held on February 21, 2024, hosted by Heritage Planning staff, in the Heritage Resource Centre at City Hall. Three property owners and two members of the public attended the open house to ask questions regarding the process and implications of heritage designation. While property owners are not required to support the designation for it to move forward, feedback received from the owners is considered and added to the draft by-laws as appropriate. Staff received no written objections at the time of writing this report.

Conclusion

Staff recommend proceeding with serving the Notice of Intention to Designate the twelve (12) properties noted above. Exhibit A presents the Notice of Intention to Designate/Notice of Proposed Amendment, prepared in accordance with the requirements of the *Ontario Heritage Act*, for both publication in The Whig Standard newspaper and a more detailed notice to be published on the City's website.

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

Existing Policy/By-Law:

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

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

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

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

Ontario Regulation 385/21 – General Regulations (Ontario)

March 20, 2024

Page 10 of 10

City of Kingston Official Plan

By-Law Number 87-322 (Designation By-Law for 34 and 72-74 Barrie Streets)

Notice Provisions:

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

Contacts:

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

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

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

Exhibits Attached:

- Exhibit A Notice of Intention to Designate
- Exhibit B Draft Designation By-Law – 1193 Front Road
- Exhibit C Draft Designation By-Law – 123-129 Princess Street
- Exhibit D Draft Designation By-Law – 1359 Unity Road
- Exhibit E Draft Designation By-Law – 26-34 Barrie Street
- Exhibit F Draft Designation By-Law – 2638 Kepler Road
- Exhibit G Draft Designation By-Law – 3578 Unity Road
- Exhibit H Draft Designation By-Law – 62-74 Barrie Street
- Exhibit I Draft Designation By-Law – 9 and 11 Colborne Street
- Exhibit J Draft Designation By-Law – 22 Colborne Street
- Exhibit K Draft Designation By-Law – 30 Colborne Street
- Exhibit L Draft Designation By-Law – 37 Kennedy Street
- Exhibit M Property Photographs

-- Website Version--

**Notice of Intention to Pass/Amend 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:

1193 Front Road (Part Lot 2-3 Con Broken Front Kingston as in FR206281; City of Kingston, County of Frontenac), known as the Charles Grass House;

The Charles Grass House is situated on the south side of the road, in the former Township of Kingston, now the City of Kingston. The approximately 3.7-hectare waterfront parcel contains a two-storey residence with Italianate elements, constructed in the late 1860s. The Italianate style is rare in Kingston Township, making the Grass House a rare example of a two-storey 'L'-shaped house with Italianate influences in this part of Kingston. Typical of the Italianate style is the rectangular massing, hip roof with cornice brackets and the paired arched windows on the front façade. The Grass House is associated Charles Grass and family. The Grass family is associated with the settlement of United Empire Loyalists at Cataraqui and is understood to be one of the first settlers in the former Township of Kingston. Its heritage attributes include the two-storey limestone house with one storey addition, its hip roof, cornice brackets, three chimneys, hip-roofed porch and original fenestration pattern.

123-129 Princess Street (Part Lots 222 & 229 Original Survey, T/W Interest in FR91600; City of Kingston, County of Frontenac), known as the Foster Building;

The Foster Building is located on the north side of Princess Street on the block bound by Bagot, Queen and Wellington streets in downtown Kingston. The approximately 580 square metre property contains a three-storey Georgian commercial row, constructed in 1854 for local businessman, Abraham Foster. The Foster Building is a representative example of a mid 19th century Georgian commercial row in downtown Kingston. Its simple three-storey massing with 6 bays, restrained architectural detailing (i.e. coursed, squared and smooth ashlar dressed limestone masonry façade, stone windowsills, flat headed window openings with stone voussoirs, stone cornice with rolled molding and brackets), and the overall impression of balance and symmetry is typical of 19th century Georgian commercial rows on downtown main streets in Ontario. With its three-storey scale, limestone construction and setback close to the street, the Foster Building has contextual value for its role in supporting and maintaining the historic commercial character of Princess Street and downtown Kingston. The property also has contextual value for its continuity of roofline, window lines and Georgian commercial style, which link this property physically and visually to this block of Princess Street, including the flanking 19th century stone buildings. Its

heritage attributes include the three-storey limestone building with original window openings and stone cornice.

1359 Unity Road (Part Lot 27 Con 5 Kingston as in FR571998; City of Kingston, County of Frontenac), known as the Hunter Farmhouse:

The Hunter Farmhouse is situated on the south side of the road, east of Perth Road, in the former Township of Kingston, now part of the City of Kingston. This 0.2-hectare rural residential property contains a one-and-a-half storey Ontario vernacular brick farmhouse, built circa 1862 for the Hunter family. The Hunter Farmhouse is a representative example of a 19th century one-and-a-half storey Georgian influenced Ontario vernacular brick farmhouse. The symmetrical front façade characterized by a central entrance flanked by windows under a medium-pitched gable roof and single brick chimney is representative of the Georgian style dwelling. George and Sarah Hunter built the house and worked the land for over 40 years. The Hunter Farmhouse was the local post office with George Hunter as the Glenburnie Postmaster from 1867 until 1886. Its heritage attributes include the one-and-a-half storey brick building with its gable roof, central gable and original openings.

26-34 Barrie Street (Part Lots 1-3 Plan Sampson Subdivision Kingston City; Part Farm Lot 24 Block E Con 1 Kingston as in FR256272, FR183171, FR426331 Except Parts 6 & 7 13R16366; T/W FR624859; T/W FR256272; S/T FR728445; T/W FR728446; City of Kingston, County of Frontenac), known as the Cappon, Bibby and Strange Houses:

The property is located on the west side of Barrie Street, at the north-west intersection with Okill Street, adjacent to City Park, in the City of Kingston. This 1,400 square metre property contains two detached brick residences, namely the **Cappon House** at 26 Barrie built in 1897 and the **Bibby House** at 28 Barrie built in 1913, and one half of a semi-detached brick residence known as the **Strange House** at 34 Barrie constructed circa 1890.

The **Cappon House** (26 Barrie Street), built for James Cappon in 1897, has design value as an example of a late 19th century Victorian residence with a distinctive Queen Anne Style influence. The red brick masonry construction with limestone foundation and tall window openings with segmental arches and limestone sills are typical of its 1897 construction date, while a distinctive Queen Anne influence is expressed through its two-and-a-half storey asymmetrical massing, which includes a truncated hip roof with two large projecting bay windows with pedimented gables, as well as decorative wood detailing and the oval window on the Okill Street elevation. The two pedimented gables are clad in wooden shingles and supported by large, finely decorated wooden brackets. Each gable contains an original sliding sash window in the Queen Anne Style (i.e. divided lights in the upper sash over single light in the lower sash), which are framed by decorative columns and topped with a pediment. The Cappon House is association with the local architect Arthur Ellis. Ellis' commissions included such notable (now lost) Kingston buildings as the YMCA building at Princess and Barrie and the original 1896 Frontenac Public School. The

Cappon House is representative of the style of house and use of red brick that appears to be Ellis's preferred medium. Its heritage attributes include the asymmetrical two-and-a-half storey red brick building, with three chimneys, original openings with a number of original windows and doors, and several wooden architectural features.

The **Bibby House** (28 Barrie Street), built for H.D. Bibby in 1913, has design value as a rare and eclectic example of the Foursquare Style dwelling. The house's two-and-a-half storey cubic massing and hipped roof are defining features of this style, but its overall architectural expression is more elaborate than a typical Foursquare residence, owing to several design elements unusual for examples of the style. For example, the hip roof has exceptionally deep overhanging eaves with wooden soffit, and frieze board with architrave. Another unusual design feature of this Foursquare is the two-storey full-width side porch, which mirrors the front porch design on the ground floor but includes engaged wooden columns on the second floor. The wooden front door with leaded transom light, including the identification of the street number, is original. The Bibby House is associated with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent Kingston landmarks such as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office. The Bibby House was built during the firm's later years under the leadership of Joseph Power. The hipped roof was a favourite of the Power firm to showcase their soaring decorative chimneys; however, the dark brown brick was not a common choice for the company. Heritage attributes include the two-and-a-half storey brown brick dwelling with hip roof, original openings, central and side porches, original front door, and various wooden and brick architectural details.

The **Strange House** (34 Barrie Street), built for the Strange family by 1890, has design value as an example of Victorian residence that incorporates design elements from a variety of architectural styles, including the Romanesque Revival and Queen Anne Revival Styles. The vertical emphases and proportions of the building's massing (i.e. windows, central projecting bay with gable roof, gabled dormer windows) are Victorian, but the application of the Romanesque Revival and Queen Anne Styles, gives a different architectural expression than is typical of Victorian residences. The front entrance is defined by a Romanesque Revival arch, springing from short piers and providing a covered entrance over both entrances of the semi-detached house. The Queen Anne Style influence is seen in the variety of decorative woodwork and masonry on the façade. The exposed wooden rafters under the eave are an unusual design feature for its construction date; being more typical of the later Arts and Crafts Style. Despite the implementation of a variety of design elements, the building's composition and architectural expression are balanced and harmonious. The Strange House displays a high degree of craftsmanship through the variety of finely executed decorative masonry and woodwork. Decorative masonry on the façade includes a basketweave pattern at the first and second floors of the central projecting bay, a dentilled string course connecting the three pairs of windows on the second floor, raised brick courses framing the paired windows in both rectilinear and curved shapes, and arcade pattern supporting the semi-circular window in the gable. Decorative woodwork is featured on the cornice above the

Romanesque Revival arch, which is supported by pairs of decorative brackets, the decorative brackets supporting the eave returns under the gable, the gable itself, which is richly decorated with a lattice pattern and spindles, the exposed wooden rafters and window surrounds. Its heritage attributes include the two-and-a-half storey red brick building with decorative wooden and masonry detailing, original openings and wooden porch.

The property at 28-34 Barrie Street has contextual value because it is important in maintaining and supporting the character of the block of Barrie Street between Okill and Stuart Streets, which displays a rich variety of late 19th/early 20th century architectural styles. The consistency in height, scale, building line and setbacks, as well as the generous front yards with mature landscaping give this block exceptional visual cohesion and integrity.

2638 Kepler Road (Part Lot 10 Con 7 Kingston Part 1, 13R6458; City of Kingston, County of Frontenac), known as the Powley Farmhouse:

The Powley Farmhouse is situated on the north side of the road, in the former Township of Kingston, now part of the City of Kingston. This 0.4 -hectare rural residential property contains a one-and-a-half storey limestone farmhouse built circa 1860 for farmers Jacob and Nancy Powley. The farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, medium-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The building is well-crafted, with a demonstrable craftsmanship, visible in the attention to construction methods and materials. Particularly notable is the evenly coursed limestone construction and fine masonry work on the façade. The Powley Farmhouse also demonstrates several unusual elements, including its oversized main entrance, slightly recessed, with side lights and transom. The entrance and flanking window openings have flat heads embellished with tall stone voussoirs. The central window opening above the main entrance has a contrasting, dramatic half round arch with radiating stone voussoirs. The Powley's were a notable local family in the area, who donated portions of their lands for a school and a Methodist Episcopal Church. Jacob and Nancy Ann Powley constructed the limestone farmhouse around 1860, where they lived with their three daughters. The Powley Farmhouse supports the historic agricultural character of the area through its Ontario Gothic Revival style. The property also shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area. Its heritage attributes include the one-and-a-half-storey limestone building with gable roof, twin chimneys and original symmetrical openings.

3578 Unity Road (Part Lot 4 Con 6 Western Addition Kingston as in FR615351 Except Part 6 EXPROP Plan RP1562; City of Kingston, County of Frontenac), known as the Raycroft Farmhouse:

The Raycroft Farmhouse is situated on the north side of the road, in the former Township of Kingston, now part of the City of Kingston. This 6.5-hectare rural

property contains a one-and-a-half storey limestone farmhouse built in the 1860s for farmers Willam and Mary Raycroft. The farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, median-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The building is well-crafted, with a demonstrable attention to construction methods and materials. Particularly notable is the evenly coursed limestone construction and fine masonry work on the façade. The centrally located front entranceway is flanked by large window openings, which is typical of the Ontario Gothic Revival Cottage style. The Raycroft Farmhouse also demonstrates several unusual elements such as its oversized flat-headed main entrance, slightly recessed with side lights and transom. The entrance and flanking window openings have flat heads embellished with tall stone voussoirs. The central window opening above the main entrance; however, has a dramatic half round arch with radiating stone voussoirs. The Raycroft Farmhouse supports the agricultural character of the area through its Ontario Gothic Revival style. The property also shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area. Its heritage attributes include the one-and-a-half-storey limestone building with gable roof, twin chimneys, and original symmetrical openings and the one storey limestone wing on the east elevation.

62-74 Barrie Street (Part Lot A Plan A20 Kingston City as in FR155972 Except the First Easement Therein, as in FR155571 Except the First Easement Therein, as in FR144588 Except the Second Easement Therein; Part Lot 6-9 Plan Sampson Subdivision Kingston City as in FR155570, FR155569, FR257949 & FR231725 Except Parts 2 & 3 13R16366 & FR294588; S/T Interest in FR144588; S/T Interest in FR155569; S/T Interest in FR155570; S/T Interest in FR155571; S/T Interest in FR155972; S/T & T/W FR155569; City of Kingston, County of Frontenac), known as the Chown, Doran, Robinson, Mooers and Walkem Houses:

The property is located on the west side of Barrie Street, midblock between Okill and Stuart Streets, adjacent to City Park, in the City of Kingston. This 2,400 square metre property contains five two-and-a-half storey brick residences, namely the **Chown House** at 62 Barrie Street built circa 1911, the **Doran and Robinson Houses** at 64 and 66 Barrie Street, built as part of a row in the 1850s, the **Mooers House** at 68-70 Barrie Street built circa 1905, and the **Walkem House** at 72-74 Barrie Street constructed circa 1879.

The **Chown House** (62 Barrie Street) is a rare example of an Edwardian Classical house in the City of Kingston. The detached brick house is characterized by its asymmetrical but balanced massing, which includes a shallow hipped roof with pedimented dormer, a two-storey bay window and front porch spanning two bays. The building's red brick walls are laid in stretcher bond with slender joints pointed with a red tinted mortar, giving the walls a uniform character. The property was purchased in 1927 by Percy and Myrtle Chown. Donations from the Chown family supported the construction of the Sydenham Methodist Church (later United) in 1852 as well as Chown Hall women's residence at Queen's University in 1960. Its heritage

attributes include the two-and-a-half storey red brick building with decorative wooden detailing, tall brick chimney, limestone foundation, original openings with two-storey bay window, tripartite window with leaded transom light and covered porch.

The **Doran House** (64 Barrie Street) is a rare example of the Second Empire style in the City of Kingston. Originally constructed as a larger row-house in the 1850s, the residence's two-and-a-half storey red brick massing is characterized by its bell curved mansard roof with dormer windows, which is the most distinctive element of the Second Empire architectural style and likely added after 1875 as a then trendy alteration. The house's architectural style is further characterized by its tall window openings with wooden sash windows with limestone sills supported by brick corbels and segmental arches and a coursed limestone foundation with evidence of original basement window openings with segmental arches. Its heritage attributes include the two-and-a-half storey red brick building with bell-curved mansard roof with arched dormer with wooden sash windows, decorative wooden detailing, limestone foundation and wood paneled door.

The **Robinson House** (66 Barrie Street) is a representative example of a mid-19th century Victorian residence. Sharing a party wall, it is likely that 64 and 66 Barrie Streets were constructed as a row under a common gable roof and are some of only a few surviving buildings on the west side of Barrie Street from the 1850s. Its Victorian architectural style is restrained and features red brick walls on a coursed limestone foundation, regularly placed tall window openings with wooden sash windows (some with six-over-six patterning) with limestone sills supported by brick corbels and segmental arches, gabled dormer windows and stone corbels at the southeast and northeast corners. The southern bay steps forward one brick width to feature the entrance, which includes a stepped brick, round-arched opening with an original or early door with wood paneling in the bottom half and glazing in the upper half with dentilled transom light. Its heritage attributes include the two-and-a-half storey red brick building with gabled roof, decorative wooden detailing, limestone foundation and wood paneled door.

The **Mooers House** (68-70 Barrie Street) is an unusual example of a large semi-detached residence with an Edwardian Classical influence. Constructed circa 1905 for H.F. Mooers, the building's two-and-a-half storey massing is defined by its mansard roof and monumental columns, which support second and third floor balconies; and the original wooden double leaf doors with transom light under Romanesque Revival style brick arches supported by Ionic columns. Typical of Edwardian Classical houses are the large windows with leaded transom lights and the application of simple classical detailing, including the widespread use of modillions and columns. The Mooers House demonstrates the work of well-known Kingston architect, William Newlands. Newlands opened his first Kingston office in 1882 and was a founding member of the Ontario Association of Architects in 1890. Some of Newlands' best-known works include the former Pittsburgh Town Hall in Barriefield Village, the former Victoria School on Union Street and the Newlands Pavilion along the waterfront in Macdonald Park. The Mooers House demonstrates Newlands' creativity and skill in the use of the Edwardian Classical style for a double

house. Heritage attributes include the two-and-a-half storey red brick building with mansard roof, large wooden columns, balconies, bay windows, pedimented dormers, decorative brick detailing, limestone foundation and double-leaf door with transom light.

The **Walkem House** (72-74 Barrie Street) is a rare example of a large Gothic Revival style house in the City of Kingston. Constructed in 1879 for barrister Richard Thomas Muir Walkem and his wife Emily (nee Henderson), its strong vertical massing, dichromatic brickwork and decorative detailing are characteristic of its architectural style. There is extensive decorative detailing, including hood moldings, pierced vergeboard on the gables, metal cresting and metal cornices on the bay windows, corbelled brickwork under the cornices at the first and second floors on the bay windows, colonettes framing the first-floor bay windows and central hipped dormer window, and decorative buttresses with stone steps framing the portico. The original cast-iron fence on stone base makes a meaningful contribution to the character of the property and surrounding streetscape. The Walkem House displays a high degree of craftsmanship through its extensive decorative detailing in a variety of materials such as wood, metal and stone. The dichromatic brickwork in red with yellow accents is rare in the City of Kingston, as is the painted decorative metal work for the cornices, colonettes and cresting. The Walkem House demonstrates the work of well-known Kingston architectural firm, Power & Son. The architectural work of John Power and his sons, Joseph and Thomas, in Kingston is well-documented and includes a variety of residential, commercial, industrial and religious buildings, including such prominent downtown landmarks as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office. The Walkem House shows the firm's enthusiasm and creativity in designing a private residence. With its dramatic Gothic peaks, multi-coloured bricks, hood moldings, pierced vergeboard on the gables, metal cresting and cornices, and corbelled brickwork with decorative buttresses, John Power took advantage of the visibility and prominence of this location, across from City Park, to showcase his skills and use of the dramatic yet organized Gothic style. Heritage attributes include the two-and-a-half storey red brick building with hipped roof, steeply pitched gables, two-storey bay windows, central portico entrance with glazed and arched double doors, extensive decorative detailing in brick, stone, wood and metal, original openings, limestone foundation, and decorative iron and stone fence.

The property at 62-74 Barrie Street has contextual value because it is important in maintaining and supporting the character of this block of Barrie Street between Okill and Stuart Streets, which displays a rich variety of late 19th/early 20th century architectural styles. The consistency in height, scale, building line and setbacks, as well as the generous front yards with mature landscaping give this block exceptional visual cohesion and integrity.

9 Colborne Street (Part Lot 382 Original Survey Kingston City as in FR691014; T/W FR691014, City of Kingston, County of Frontenac); and

11 Colborne Street (Part Lot 382 Original Survey Kingston City as in FR463215; T/W FR463215, City of Kingston, County of Frontenac):

The subject properties at 9 and 11 Colborne Street are located on the north side of Colborne Street, just west of Sydenham Street, in the City of Kingston. Spanning two separate properties with a combined area of approximately 300 square metres, this two-storey red-brick double house was constructed between 1875 and 1892. 9 and 11 Colborne Street is a representative example of a Georgian-style duplex from the late 19th century. Typical of this architectural style is the symmetrical façade, with side gable roof and twin chimneys. As is common with Georgian buildings, there are limited decorative architectural features. Notable are the window and door openings, which exhibit segmental arches with brick voussoirs. The side gable roof with parapet walls and twin brick chimneys add to the symmetry of the building, reflecting its Georgian influence. The property is significant in defining the character of the streetscape along the north side of Colborne Street, between Sydenham and Clergy Streets. The north side of Colborne Street displays an almost continuous row of red-brick, 19th century duplexes and row houses. With its shallow setback, symmetrical fenestration pattern, red-brick construction and location close to the lot lines, 9 and 11 Colborne Street shares a visual and historical relationship with its surroundings. As part of this group of buildings, the subject duplex helps maintain the historic and eclectic character of this portion of Colborne Street. Its heritage attributes include the two-storey red brick building, with symmetrical four-bay façade and twin brick chimneys, segmentally arched window openings and limestone foundation.

22 Colborne Street (Part Lot 340 Original Survey Kingston City Parts 1, 2 13R4728; S/T FR352314; City of Kingston, County of Frontenac):

22 Colborne Street is located on the south side of the street, mid-block between Clergy and Sydenham Streets in downtown Kingston. The approximately 286 square metre residential property includes a two-storey limestone house, constructed circa 1866. This property is a representative example of a classical limestone dwelling with a Georgian influenced simple rectangular side-gable plan. On the main façade the stones are smooth ashlar, laid in uniform courses, while the side and rear walls have hammer-dressed, uncoursed stonework. The off-set doorway is recessed with paneled reveals, with a semi-circular arched transom. The regular pattern of openings, with tall stone voussoirs and stone windowsills, reflect the Georgian style. The large shed dormers dominate the roof line, but the Georgian influence is still visible in the original roof profile with gable end parapets with ashlar corbels, and the stone chimney on the western roof ridgeline. 22 Colborne Street is significant in defining the character of the streetscape on Colborne Street, between Sydenham and Clergy Streets. This area of downtown Kingston exhibits a continual pattern of reuse and replacement of existing structures that has left examples of building from the mid-19th century to the present. The streetscapes' historic buildings vary in height from one-and-a-half to two-and-a-half storeys. The north side of Colborne Street includes an almost continuous row of exclusively red-brick 19th century duplexes and row houses; dotted by a few limestone buildings. The south side of Colborne Street is a mix of stone, frame and brick buildings, mostly single detached units. This variety in 19th century design and materiality creates a distinct character and a visually

appealing and diverse streetscape. With its shallow setback, symmetrical fenestration pattern, limestone construction and location close to the lot lines, 22 Colborne Street shares a visual and historical relationship with its surroundings. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Colborne Street. Its heritage attributes include the two storey limestone building with gable roof, parapet walls and stone chimney, central doorway with recessed paneled reveals, and regular pattern of openings.

30 Colborne Street (Part Lot 341, Original Survey, being Part 3, 13R19716; City of Kingston, County of Frontenac), known as the Queen Street Methodist Church Parsonage:

The former Queen Street Methodist Church Parsonage is located on the south side of the street, mid-block between Clergy and Sydenham Streets in downtown Kingston. The approximately 300 square metre property includes a two-and-a-half storey red brick house, with a one-and-a-half storey gable roofed rear addition. This property is a unique example of late Victorian residential architecture with religious architectural motifs. While the two-and-a-half storey scale, red brick construction with high limestone foundation, pitched roof, decorative off-set entranceway and grand embellishments at the cornice reflect the Victorian style, the former Parsonage has several unusual features for a Victorian residence. The brick detailing on the house adds to its grandeur and is indicative of its importance to the members of the Queen Street Methodist Church. The red bricks on the main façade are laid in a stretcher bond pattern, while the side elevations are common bond. Projecting brick key stones and voussoirs are present above all openings. The openings are Tudor arched on the main façade and flat headed on the side elevations. The front wall includes a giant pointed arch formed by a two-storey recessed panel with windows centrally placed within. The arch design is symbolic of the open arches often separating the nave from the sanctuary in a church and thus speaks to the religious connections to this building. One of the most distinguishing and unique features of the house is its cross-gable roof with hipped roof gables, deep dentilled cornice decorated in bas relief foliage and bracketed eaves.

The Parsonage yields information that contributes to an understanding of the development of the Methodist church in Kingston. The expansion of church operations over time led to the acquisition and construction of residential buildings. The Queen Street Methodist Church Parsonage was built to provide the residing minister a place to live where he would be in close proximity to the church and its parishioners at all times. The Reverend Joseph Hagan was the first occupant of the house. After 1958 it served as a meeting hall for members of Queen Street United Church congregation until it was sold in 1968.

The Parsonage is associated with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent Kingston landmarks such as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office. They are also credited for designing several religious buildings in Kingston, such as the Cataraqui Methodist Church on Sydenham Road, St. Andrew's Church, St.

John's Church Hall and the enlargement of St. George's Cathedral. The Queen Street Methodist Church Parsonage is directly attributed to Joseph Power who showed his creativity with the decorative brick and wooden features and subtle religious symbology.

The former Queen Street Methodist Church Parsonage is significant in defining the character of the streetscape on Colborne Street, between Sydenham and Clergy Streets. This area of downtown Kingston exhibits a continual pattern of reuse and replacement of existing structures that has left examples of building from the mid-19th century to the present. The streetscapes' historic buildings vary in height from one-and-a-half to two-and-a-half storeys. The north side of Colborne Street includes an almost continuous row of exclusively red-brick 19th century duplexes and row houses; dotted by a few limestone buildings. The south side of Colborne Street is a mix of stone, frame and brick buildings, mostly single detached units. This variety in 19th century design and materiality creates a distinct character and a visually appealing and diverse streetscape. With its shallow setback, red brick construction and location close to the lot lines, the former Parsonage shares a visual and historical relationship with its surroundings. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Colborne Street.

The former Parsonage is also historically linked to the former Queen Street Methodist/United Church at 221 Queen Street and a cluster of buildings associated with the former Church operations, including the nearby church itself and Maple Cottage/Sexton house at 151 Clergy Street. Originally built on (or very near) the church property and under the direction of the church congregation, the former Parsonage is directly linked to the history and evolution of the Queen Street church. Its heritage attributes include the two-and-a-half storey red brick building with cross-gable roof, two-storey recessed pointed-arch brick panel, tall limestone foundation, wooden detailing, and original window and door openings.

37 Kennedy Street (Part Lot 1 S/S Union St & N/S Kennedy St Plan 54 Kingston City as in FR150913; City of Kingston, County of Frontenac), known as the Henley Cameron House:

The Henley Cameron House is located on the north side of the street, at the northwest corner with Yonge Street in the Village of Portsmouth, now City of Kingston. This approximately 358 square metre residential property contains a two-storey vernacular frame house constructed circa 1847 for Joseph Henley and altered in the 1850s by carpenter Alexander Cameron. The Henley Cameron House is a representative example of a mid-19th century one-and-a-half storey wood frame Georgian cottage. Typical of the Georgian style is the side gable roof and a central unadorned entranceway, flanked by symmetrically placed windows. While this building has been modified and restored several times, its profile, massing and fenestration pattern still retain a strong Georgian character. The vinyl siding, while a modern intervention, is reminiscent of the original wooden clapboard siding. 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 and corner location with frontage onto Yonge Street (once called Main Street), the Henley Cameron House helps define and maintain the historic village character of Portsmouth. Its heritage attributes include the two-storey wood frame building with side gable roof with vergeboard, symmetrical front façade with central entranceway, and one storey bay window on east elevation.

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

Any notice of objection to this notice of intention to designate the property, setting out the reason for objection and all relevant facts, must be served upon the City Clerk within 30 days of the first publication of this notice.

Dated at the City of Kingston

Janet Jaynes, City Clerk

This XXX day of XXXX, 2024

City of Kingston

--- Newspaper Version--

**Notice of Intention to Pass By-Laws to Designate
The following properties to be of Cultural Heritage Value and Interest Pursuant to
the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, Chapter 0.18)**

Take Notice that the Council of The Corporation of the City of Kingston intends to pass by-laws under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to designate the following lands to be of cultural heritage value and interest:

1193 Front Road (Part Lot 2-3 Con Broken Front Kingston as in FR206281; City of Kingston, County of Frontenac), known as the Charles Grass House;

123-129 Princess Street (Part Lots 222 & 229 Original Survey, T/W Interest in FR91600; City of Kingston, County of Frontenac), known as the Foster Building;

1359 Unity Road (Part Lot 27 Con 5 Kingston as in FR571998; City of Kingston, County of Frontenac), known as the Hunter Farmhouse;

26-34 Barrie Street (Part Lots 1-3 Plan Sampson Subdivision Kingston City; Part Farm Lot 24 Block E Con 1 Kingston as in FR256272, FR183171, FR426331 Except Parts 6 & 7 13R16366; T/W FR624859; T/W FR256272; S/T FR728445; T/W FR728446; City of Kingston, County of Frontenac), known as the Cappon, Bibby and Strange Houses;

2638 Kepler Road (Part Lot 10 Con 7 Kingston Part 1, 13R6458; City of Kingston, County of Frontenac), known as the Powley Farmhouse;

3578 Unity Road (Part Lot 4 Con 6 Western Addition Kingston as in FR615351 Except Part 6 EXPROP Plan RP1562; City of Kingston, County of Frontenac), known as the Raycroft Farmhouse;

62-74 Barrie Street (Part Lot A Plan A20 Kingston City as in FR155972 Except the First Easement Therein, as in FR155571 Except the First Easement Therein, as in FR144588 Except the Second Easement Therein; Part Lot 6-9 Plan Sampson Subdivision Kingston City as in FR155570, FR155569, FR257949 & FR231725 Except Parts 2 & 3 13R16366 & FR294588; S/T Interest in FR144588; S/T Interest in FR155569; S/T Interest in FR155570; S/T Interest in FR155571; S/T Interest in FR155972; S/T & T/W FR155569; City of Kingston, County of Frontenac), known as the Chown, Doran, Robinson, Mooers and Walkem Houses;

9 Colborne Street (Part Lot 382 Original Survey Kingston City as in FR691014; T/W FR691014, City of Kingston, County of Frontenac); and

11 Colborne Street (Part Lot 382 Original Survey Kingston City as in FR463215; T/W FR463215, City of Kingston, County of Frontenac);

22 Colborne Street (Part Lot 340 Original Survey Kingston City Parts 1, 2 13R4728; S/T FR352314; City of Kingston, County of Frontenac);

30 Colborne Street (Part Lot 341, Original Survey, being Part 3, 13R19716; City of Kingston, County of Frontenac), known as the Queen Street Methodist Church Parsonage; and

37 Kennedy Street (Part Lot 1 S/S Union St & N/S Kennedy St Plan 54 Kingston City as in FR150913; City of Kingston, County of Frontenac), known as the Henely Cameron House.

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

Any notice of objection to this notice of intention to designate the property, setting out the reason for objection and all relevant facts, must be served upon the City Clerk within 30 days of the first publication of this notice.

Dated at the City of Kingston

Janet Jaynes, City Clerk

This XXX day of XXX, 2024

City of Kingston

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 1193 Front 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 1193 Front Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*,

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Charles Grass House

Civic Address: 1193 Front Road
Legal Description: Part Lot 2-3 Con Broken Front Kingston as in FR206281;
City of Kingston, County of Frontenac
Property Roll Number: 1011 080 030 09000

Introduction and Description of Property

The Charles Grass House at 1193 Front Road is situated on the south side of the road, in the former Township of Kingston, now the City of Kingston. The approximately 3.7-hectare waterfront parcel contains a two-storey residence with Italianate elements, constructed in the late 1860s.

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 Italianate style is rare in Kingston Township, making the Charles Grass House a rare example of a two-storey ‘L’-shaped house with Italianate influences in this part of Kingston. The main front entrance and façade of the house sits perpendicular to Front Road, facing east.

The house is constructed of limestone laid in even courses on the front/eastern façade and in uneven courses on the side elevations. Typical of the Italianate style is the rectangular massing and hip roof with cornice brackets. Also typical of the style is the parried arched windows on the front façade. The house has three chimneys, including a double-flue chimney on the west side. The front/east façade is asymmetrical, featuring an enclosed porch with a hip roof and balcony with spindles, posts and post finials. The window openings feature limestone voussoirs and stone sills. The north elevation is two-bay with rectangular window openings that have limestone voussoirs and stone sills.

A one-storey limestone wing features a hip roof, an entranceway with engaged columns and entablature, flanked by rectangular window openings that continue the stone voussoirs and stone sills from the main portion of the house. There are also stone gate posts flanking each of the two entrances to the property. The property also features several outbuildings, including a wooden barn with a gable roof and a rear addition, located immediately south of the stone dwelling, likely constructed prior to 1900.

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 Grass House is associated Charles Grass and family. Charles Grass was the son of Peter Grass, and grandson of Captain Michael Grass, a lieutenant in the volunteer militia that fought against the rebels in the American Revolution (and was then promoted to Captain). The Grass family is associated with the settlement of United Empire Loyalists at Cataraqui and is understood to be one of the first settlers in the former Township of Kingston. Charles Grass (1827-1896) married Isabella Ann Graham (1827-1876), circa 1852-1853, and they had four children, Ester Maria (1853-unknown), James (1855-unknown), William (1857-1919) and George (1859-unknown). The family lived in the stone house, which was constructed between 1861 and 1878. In 1876 Isabella Grass died. Charles Grass remarried in 1880 to Mary Stewart (1831-1914). Charles Grass died on September 28, 1896 of cancer.

Heritage Attributes

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

- Two storey limestone house in an 'L'-shaped plan, constructed of limestone laid in even courses on the front façade and uneven course on the side elevations;
- Hip roof with cornice brackets and three brick chimneys, including a double flue chimney;
- Asymmetrical front façade, with rectangular and arched window openings with limestone voussoirs and sills;
- Porch with a hip roof and balcony with spindles, posts and post finials;
- Symmetrical two-bay north elevation; and
- One-storey square limestone addition with a hip roof, entranceway and entablature, flanked by window openings.

Non-Heritage Attributes

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

- Various detached outbuildings;
- Sunroom addition on south side;
- Southern addition with horizontal siding; and
- Pool and pool enclosure.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 123-129 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the properties at 123-129 Princess Street, known as the Foster building, (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

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

Civic Address: 123-129 Princess Street
Legal Description: Part Lots 222 & 229 Original Survey, T/W Interest in
FR91600; City of Kingston, County of Frontenac.
Property Roll Number: 1011 030 090 02800

Introduction and Description of Property

The property at 123-129 Princess Street is located on the north side of Princess Street on the block bound by Bagot, Queen and Wellington Streets in downtown Kingston. The approximately 580 square metre property contains a three-storey Georgian-style commercial row, constructed in 1854 for local businessman, Abraham Foster as a rental.

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 Foster building is a representative example of a mid 19th century Georgian-style commercial row in downtown Kingston. Its simple three-storey massing with 6 bays, restrained architectural detailing (i.e. coursed, squared and smooth ashlar dressed limestone masonry façade, stone windowsills, flat headed window openings with stone voussoirs, stone cornice with rolled molding and brackets), and the overall impression of balance and symmetry is typical of 19th century Georgian commercial rows on downtown main streets in Ontario.

Although the original windows have been removed, and the oriel window is likely a later addition, the size and proportions of the original window openings reflect the vertical emphasis of the Georgian commercial architectural style, and the decrease in height from the second to third floors.

Despite the replacement of many of the historic storefronts along the row, their commercial use maintains the historic development pattern in downtown Kingston (i.e. commercial at grade with residential 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.

With its three-storey scale, limestone construction and setback close to the street, the Foster building has contextual value for its role in supporting and maintaining the historic commercial character of Princess Street and downtown Kingston. The property also has contextual value for its continuity of roofline, window lines and Georgian commercial style, which link this property physically and visually to this block of Princess Street, including the flanking 19th century stone buildings.

Heritage Attributes

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

- Three-storey row massing with gable roof with stone parapet walls;
- Coursed, squared and ashlar dressed limestone masonry façade;
- Original window openings on the façades with stone voussiors and stone windowsills; and
- Stone cornice above the third floor, punctuated by decorative stone brackets and rolled molding.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 1359 Unity 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Hunter Farmhouse at 1359 Unity Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

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

Civic Address: 1359 Unity Road
Legal Description: Part Lot 27 Con 5 Kingston as in FR571998; City of
Kingston, County of Frontenac
Property Roll Number: 1011 080 260 05700

Introduction and Description of Property

The Hunter Farmhouse, located at 1359 Unity Road, is situated on the south side of the road, east of Perth Road, in the former Township of Kingston, now part of the City of Kingston. This 0.2-hectare rural residential property contains a one-and-a-half storey Ontario vernacular brick farmhouse, built circa 1862 for the Hunter family. Modern additions have been added to the rear and side of the main house.

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 Hunter Farmhouse is a representative example of a 19th century one-and-a-half storey Georgian influenced Ontario vernacular brick farmhouse. The symmetrical front façade characterized by a central entrance flanked by windows under a medium-pitched gable roof and single brick chimney is representative of the Georgian style dwelling.

The east elevation has two window openings in the upper storey and a central window opening in the first storey. The west elevation has two window openings in the upper storey separated by a brick chimney and a single window below. The window openings are highlighted by red brick voussoirs and stone sills.

While the building has been modified, including lengthening the central gable window to create a door and the addition of the covered front porch, its profile, massing and fenestration pattern still retain a strong Georgian character.

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 Hunter Farmhouse is associated with the Hunter family who built the house and worked the land for over 40 years. George Hunter (1815-1907) along with his wife

Sarah (1817-1888) and son Frederick (1856-1928) arrived in Canada in 1857 from England. They received the deed for the 100-acre property in 1862 and built the structure shortly thereafter. George Hunter is listed as a farmer in the Ontario Gazetteer. George died in 1888 and the property was passed to his son Frederick who lived on and farmed the land until 1908 when it was sold to Charles Cashman.

The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.

The Hunter Farmhouse is identified as a post office on the 1878 map of the Township of Kingston. Local post office depots were common in the rural area and acted as local gathering spots for the community. George Hunter was the Glenburnie Postmaster from 1867 until 1886. The Hunter Farmhouse was likely well known in the Glenburnie/Shannon's Corners community.

Heritage Attributes

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

- One-and-a-half storey red brick farmhouse with medium-pitch side gable roof with central medium-pitched gable;
- Symmetrical front façade with central entrance, flanked by large window openings;
- Window openings with red brick voussoirs and stone sills; and
- Two-bay side elevations, west elevation separated by a single brick chimney breast.

City of Kingston By-Law Number 2024-XX

**A By-Law to Amend By-Law Number 87-322 (A By-Law to Designate 20-24
Barrie Street; 34-36 Barrie Street; 72-74 Barrie Street of Historic and/or
Architectural Value or Interest) and to Designate the property at 26-34 Barrie
Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario
Heritage Act***

Passed: [insert date]

Whereas:

Pursuant to By-Law Number 87-322 (A By-Law to Designate 20-24 Barrie Street; 34-36 Barrie Street; 72-74 Barrie Street of Historic and/or Architectural Value or Interest Pursuant to the Provisions of the Ontario Heritage Act), 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 1987;

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

Section 30.1 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 following the provisions of Section 29 of the Act, with prescribed modifications;

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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 26-34 Barrie 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. Schedule "A" of By-law 87-322, as it relates to 34 Barrie Street only, is deleted and replaced with Schedule "A" attached to and forming part of this By-Law.
2. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
3. 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.
4. 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.
5. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Cappon House, Bibby House & Strange House

Civic Address: 26-34 Barrie Street
Legal Description: Part Lots 1-3 Plan Sampson Subdivision Kingston City; Part Farm Lot 24 Block E Con 1 Kingston as in FR256272, FR183171, FR426331 Except Parts 6 & 7 13R16366; T/W FR624859; T/W FR256272; S/T FR728445; T/W FR728446; City of Kingston, County of Frontenac
Property Roll Number: 1011 010 040 10900

Introduction and Description of Property

The property at 26-34 Barrie Street is located on the west side of Barrie Street, at the north-west intersection with Okill Street, adjacent to City Park, in the City of Kingston. This 1,400 square metre property contains two detached brick residences, namely the Cappon House at 26 Barrie built in 1897 and the Bibby House at 28 Barrie built in 1913, and one half of a semi-detached brick residence known as the Strange House at 34 Barrie constructed circa 1890.

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 **Cappon House** (26 Barrie Street), built for James Cappon in 1897, has design value as an example of a late 19th century Victorian residence with a distinctive Queen Anne Style influence. The red brick masonry construction with limestone foundation and tall window openings with segmental arches and limestone sills are typical of its 1897 construction date, while a distinctive Queen Anne influence is expressed through its two-and-a-half storey asymmetrical massing, which includes a truncated hip roof with two large projecting bay windows with pedimented gables, as well as decorative wood detailing and the oval window on the Okill Street elevation. The two pedimented gables are clad in wooden shingles and supported by large, finely decorated wooden brackets. Each gable contains an original sliding sash window in the Queen Anne Style (i.e. divided lights in the upper sash over single light in the lower sash), which are framed by decorative columns and topped with a pediment. This window design is largely replicated on the pedimented gable dormer on the façade (east elevation). A dentilled cornice supports the wooden eaves.

Although somewhat obscured by a modern awning, the front entrance features original double leaf wooden doors with transom light, which reflect the decorative detailing and motifs found in the upper story woodwork.

The house successfully addresses both corner elevations with the south elevation featuring an elliptical window with decorative brick trim on the ground floor and a decorative raised brick apron beneath the original window opening above, as well as the use of stone steps to maintain asymmetry on the tall brick chimney. The red brick masonry walls and segmental arches over windows are finely executed with slender joints. The three shed roof dormers are not in-keeping with the quality of the original building's design and detailing, but do not distract from, or diminish, its overall architectural expression.

The **Bibby House** (28 Barrie Street), built for H.D. Bibby in 1913, has design value as a rare and eclectic example of the Foursquare Style dwelling. The house's two-and-a-half storey cubic massing and hipped roof are defining features of this style, but its overall architectural expression is more elaborate than a typical Foursquare residence, owing to several design elements unusual for examples of the style. For example, the hip roof has exceptionally deep overhanging eaves with wooden soffit, and frieze board with architrave. The depth of the eave accommodates an unusual two-storey bay window in the left bay of the façade, which features wooden casement windows divided by mullions with leaded lights above a transom with cornice. Another unusual design feature of this Foursquare is the two-storey full-width side porch, which mirrors the front porch design on the ground floor but includes engaged wooden columns on the second floor. The windows on the second floor of the porch thoughtfully reflect the proportions of windows on the house.

The brown brick masonry walls in stretcher/running bond rest upon a coursed rock-faced limestone foundation with an ashlar base course. The façade features a symmetrical layout of original openings, which include wooden casement and/or sash windows with leaded transom lights, stone sills and brick segmental arches. The ground floor window in the right (north) bay includes a raised segmental brick arch featuring a keystone. The central entrance features a gabled porch with pediment resting on circular stone columns atop brick piers and square columns against the main walls. The wooden front door with leaded transom light, including the identification of the street number, is original. The dormers on the south, east and north elevations are likely later additions owing to their size, design and detailing, but are compatible with the house's architectural character.

The **Strange House** (34 Barrie Street), built for the Strange family in 1890, has design value as an example of Victorian residence that incorporates design elements from a variety of architectural styles, including the Romanesque Revival and Queen Anne Revival Styles. Its two-and-a-half storey massing is symmetrical with a central projecting bay flanked by one-storey porches with bay windows, dormer windows and brick chimneys, resting upon a coursed rock-faced limestone foundation with ashlar base course.

The vertical emphases and proportions of the building's massing (i.e. windows, central projecting bay with gable roof, gabled dormer windows) are Victorian, but the application of the Romanesque Revival and Queen Anne Styles, gives a different architectural expression than is typical of Victorian residences. The front entrance is

defined by a Romanesque Revival arch, springing from short piers and providing a covered entrance over both entrances of the semi-detached house. The Queen Anne Style influence is seen in the variety of decorative woodwork and masonry on the façade. The exposed wooden rafters under the eave are an unusual design feature for its construction date; being more typical of the later Arts and Crafts Style. Despite the implementation of a variety of design elements, the building's composition and architectural expression are balanced and harmonious.

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

The **Strange House** (34 Barrie Street) displays a high degree of craftsmanship through the variety of finely executed decorative masonry and woodwork. Decorative masonry on the façade includes a basketweave pattern at the first and second floors of the central projecting bay, a dentilled string course connecting the three pairs of windows on the second floor, raised brick courses framing the paired windows in both rectilinear and curved shapes, and arcade pattern supporting the semi-circular window in the gable. Decorative woodwork is featured on the cornice above the Romanesque Revival arch, which is supported by pairs of decorative brackets, the decorative brackets supporting the eave returns under the gable, the gable itself, which is richly decorated with a lattice pattern and spindles, the exposed wooden rafters and window surrounds. The dormer window features a pediment with a sunburst motif. The front porch also features finely decorated posts, which largely mirror the design of decorative columns framing the dormer window.

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 **Cappon House** (26 Barrie) has historical/associative value through its association with the local architect Arthur Ellis. Ellis was born and educated in England before moving to Canada in 1891. He worked in Kingston from 1891 to 1910 and his commissions included such notable (now lost) Kingston buildings as the YMCA building at Princess and Barrie (demolished in the 1960s) and the original 1896 Frontenac Public School (replaced in the 1940s). Ellis is also credited for a number of residences such as at 162, 168, 181 and 183 University Avenue and 109-111 Wellington Street. The Cappon House is representative of the style of house and use of red brick that appears to be Ellis's preferred medium.

The **Bibby House** (28 Barrie) has historical/associative value through its association with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent Kingston landmarks such as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office. The Bibby House was built during the firm's later years under the leadership of Joseph Power (his father John having died in 1882) and before partnering with Colin Drever in 1919. The hipped roof was a favourite of the Power firm to showcase their soaring decorative chimneys; however, the dark brown brick was not a common choice for the company.

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

The property at 28-34 Barrie Street has contextual value because it is important in maintaining and supporting the character of the block of Barrie Street between Okill and Stuart Streets, which displays a rich variety of late 19th/early 20th century architectural styles. The consistency in height, scale, building line, and setbacks, as well as the generous front yards with mature landscaping give this block exceptional visual cohesion and integrity.

Heritage Attributes (26 Barrie Street)

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

- Asymmetrical two-and-a-half storey massing with truncated hip roof;
- Red brick masonry walls in stretcher/running bond with slender joints;
- Three tall brick chimneys;
- Wooden eaves including frieze board and dentilled cornice;
- Projecting bay windows with pedimented gables clad in 'full cove' wooden shingles, and supported by large decorative brackets, on the east and south elevations;
- Original vertically sliding wooden sash windows in gable ends (east and south elevations) and gabled dormer (east elevation) with decorative pediments and columns framing openings;
- Original window openings with segmental arches and limestone sills;
- Elliptical window with decorative brick trim;
- Raised brick apron under second storey window opening on the south elevation;
- Original double leaf wooden doors with decorative trim and transom light on façade; and
- Rock-faced randomly coursed limestone foundation with ashlar base course.

Heritage Attributes (28 Barrie Street)

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

- Two-and-a-half storey massing with hipped roof;
- Brown brick masonry walls in stretcher/running bond; tall, symmetrically placed brick chimneys on the south and north elevations;
- Deep overhanging eaves with wooden soffits, frieze board and architrave;
- Two-storey bay window with casement windows and leaded transom lights;
- Original window openings with wooden casement or sash windows with leaded transom lights, brick segmental arches, and stone sills;
- Segmental arch with raised courses forming a keystone over the ground floor tripartite window;
- Central front porch with pedimented gable, brick piers, stone columns and wooden railings;
- Original wooden front door with transom light;

- Two-storey full-width porch on the south elevation with brick piers, stone columns and wooden railings, and wooden columns and wooden windows on the second floor; and
- Coursed rock-faced stone foundation with ashlar base course.

Heritage Attributes (34 Barrie Street)

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

- Two-and-a-half storey massing with side gable roof with central gabled projecting bay;
- Red brick masonry walls in stretcher/running bond with slender joints;
- Wooden eaves with exposed rafter ends;
- Tall decorative brick chimney on the south gable end;
- Romanesque Revival arch with recessed entry featuring original wooden front door with transom light;
- One-storey wooden porch with truncated hipped roof (aligning with flat roof over central entrance) with turned wooden posts and plain wooden balustrade;
- Original door opening on south elevation of central entrance providing access to porch;
- Bay window with wooden mullions separating three sash windows with wooden paneling below;
- Original window openings with stone sills and brick segmental arches in the recessed bay and with elliptical arches in the central projecting bay;
- Semi-circular window divided by wooden mullion with stone sill in central gable;
- Gabled dormer windows with two-over-two vertically sliding sash windows;
- Decorative brickwork including Romanesque Revival arch, basketweave/checkerboard pattern, dentilled string course, raised courses and arcade pattern;
- Decorative woodwork on the gable, dormer window, cornice and porch; and
- Coursed rock-faced limestone foundation with ashlar base course.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 2638 Kepler 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Powley Farmhouse at 2638 Kepler Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Powley Farmhouse

Civic Address: 2638 Kepler Road
Legal Description: Part Lot 10 Con 7 Kingston Part 1, 13R6458; City of Kingston, County of Frontenac
Property Roll Number: 1011 080 240 18910

Introduction and Description of Property

The Powley Farmhouse, located at 2638 Kepler Road, is situated on the north side of the road, in the former Township of Kingston, now part of the City of Kingston. This 0.4 - hectare rural residential property contains a one-and-a-half storey limestone Ontario Gothic Revival Cottage style farmhouse built circa 1860 for farmers Jacob and Nancy Powley.

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 farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, medium-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The building is well-crafted, with a demonstrable craftsmanship, visible in the attention to construction methods and materials. Particularly notable is the evenly coursed limestone construction and fine masonry work on the façade.

The centrally located front entranceway is flanked by large window openings, which is typical of the Ontario Gothic Revival Cottage style. All window and door openings have tall stone voussoirs and stone sills. The west elevation includes two bays each featuring large window openings.

A sympathetic one storey wing, clad in board and batten siding, extends from the east elevation and features a medium-pitch cross gable roof with three large windows facing the road and a side entrance with porch. The wing also has a limestone chimney at the gable end and a stone-clad foundation.

Despite displaying architectural elements common to the style, the Powley Farmhouse also demonstrates several unusual elements. For example, its oversized main entrance is slightly recessed with side lights and transom. The entrance and flanking window openings have flat heads embellished with tall stone voussoirs. The central window opening above the main entrance has a contrasting, dramatic half round arch with radiating stone voussoirs.

The property also includes a large detached garage, which is not identified as supporting the heritage value of the property.

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 Powley family were descendants of J. Jacob Powley, a United Empire Loyalist and early settler to Kingston Township. The Powleys were a notable local family in the area, who donated portions of their lands for a school and a Methodist Episcopal Church. Jacob Powley constructed a log farmhouse on the subject property where he lived with his wife Nancy Ann and their three daughters. The farmhouse was rebuilt with the current limestone one around 1860, at about the same time as the first log school on the Powley property was replaced with a stone structure. The Powley Farmhouse remained under the ownership of the Powleys into the 20th century, when Jacob sold the property to his eldest daughter Catherine and her husband Joseph Lawson.

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 Powley Farmhouse supports the agricultural character of the area through its Ontario Gothic Revival style, which was a common design in Ontario farmhouse construction during the second half of the 19th century. In addition, the modest setback of the residence reflects similar residential sitings along Kepler Road between Sydenham Road and Babcock Road. The property also shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area.

Heritage Attributes

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

- One-and-a-half storey limestone construction with medium-pitch side gable roof with a central medium-pitch front gable;
- Semi-circular arched window opening and a stone sill located in the central gable;
- Symmetrical front façade with a central entranceway flanked by window openings;

- Large entranceway, slightly recessed, with sidelights, a transom and radiating limestone voussoirs; and
- Two chimneys, one at each gable end.

Non-Heritage Attributes

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

- Various detached outbuildings and structures.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 3578 Unity 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Raycroft Farmhouse at 3578 Unity Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Raycroft Farmhouse

Civic Address: 3578 Unity Road
Legal Description: Part Lot 4 Con 6 Western Addition Kingston as in FR615351
Except Part 6 EXPROP Plan RP1562; City of Kingston,
County of Frontenac
Property Roll Number: 1011 080 230 04700

Introduction and Description of Property

The Raycroft Farmhouse, located at 3578 Unity Road, is situated on the north side of the road, in the former Township of Kingston, now part of the City of Kingston. This 6.5-hectare rural property contains a one-and-a-half storey limestone Ontario Gothic Revival Cottage style farmhouse built in the 1860s for farmers Willam and Mary Raycroft.

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.

William Raycroft and his wife Mary Burnside were born in Ireland and immigrated to Canada in the early 1800s. They obtained a Crown Patent for the property in 1864; however, they appear to have been living on the property as early as 1851. William and Mary Raycroft operated a successful farm, employing labourers, and raised their eight children in the stone dwelling. William died in 1885, but his family continued to live on and farm the property until 1900 when it was sold.

The farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, median-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The building is well-crafted, with a demonstrable attention to construction methods and materials. Particularly notable is the evenly coursed limestone construction and fine masonry work on the façade.

The centrally located front entranceway is flanked by large window openings, which is typical of the Ontario Gothic Revival Cottage style. All window and door openings have

tall stone voussoirs and stone sills. The west elevation includes two bays each featuring large window openings. A one storey wing extends from the east elevation and features a medium-pitch side gable roof and a verandah with a shed roof that runs the length of the wing's façade, covering a central entrance flanked by windows. The wing also has a limestone chimney at the gable end.

Despite displaying architectural elements common to the style, the Raycroft Farmhouse also demonstrates several unusual elements. For example, its oversized flat-headed main entrance, slightly recessed with side lights and transom. The entrance and flanking window openings have flat heads embellished with tall stone voussoirs. The central window opening above the main entrance however has a dramatic half round arch with radiating stone voussoirs.

The main dwelling also includes a large rear (north side) addition and several detached farm outbuildings, which are not identified as supporting the heritage value of the property.

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 Raycroft Farmhouse supports the agricultural character of the area through its Ontario Gothic Revival style, which was a common design in Ontario farmhouse construction during the second half of the 19th century. In addition, the generous setback of the residence reflects similar residential sitings along Unity Road between Quabbin Road and Rock Road. The property also shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area.

Heritage Attributes

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

- One-and-a-half storey limestone construction with medium-pitch side gable roof with a central medium-pitch front gable;
- Semi-circular arched window opening and a stone sill located in the central gable;
- Symmetrical front façade with a central entranceway flanked by window openings;
- Large entranceway, slightly recessed, with sidelights, a transom and radiating limestone voussoirs;
- Two chimneys, one at each gable end; and
- One storey wing on the east elevation with medium-pitch side gable roof with stone chimney, a verandah with a shed roof that runs the length of the front façade over symmetrical openings.

Non-Heritage Attributes

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

- Various detached outbuildings and structures.

City of Kingston By-Law Number 2024-XX

**A By-Law to Amend By-Law Number 87-322 (A By-Law to Designate 20-24
Barrie Street; 34-36 Barrie Street; 72-74 Barrie Street of Historic and/or
Architectural Value or Interest) and to Designate the property at 62-74 Barrie
Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario
Heritage Act***

Passed: [insert date]

Whereas:

Pursuant to By-Law Number 87-322 (A By-Law to Designate 20-24 Barrie Street; 34-36 Barrie Street; 72-74 Barrie Street of Historic and/or Architectural Value or Interest Pursuant to the Provisions of the Ontario Heritage Act), 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 1987;

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

Section 30.1 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 following the provisions of Section 29 of the Act, with prescribed modifications;

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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as 62-74 Barrie 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. Schedule "A" of By-Law 87-322, as it relates to 72-74 Barrie Street only, is deleted and replaced with Schedule "A" attached to and forming part of this by-law;
2. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
3. 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.
4. 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.
5. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

City of Kingston By-Law Number 2024-XX

Schedule “A”
Description and Criteria for Designation
Chown House, Doran House, Robinson House,
Mooers House and Walkem House

Civic Address: 62-74 Barrie Street

Legal Description: Part Lot A Plan A20 Kingston City as in FR155972 Except the First Easement Therein, as in FR155571 Except the First Easement Therein, as in FR144588 Except the Second Easement Therein; Part Lot 6-9 Plan Sampson Subdivision Kingston City as in FR155570, FR155569, FR257949 & FR231725 Except Parts 2 & 3 13R16366 & FR294588; S/T Interest in FR144588; S/T Interest in FR155569; S/T Interest in FR155570; S/T Interest in FR155571; S/T Interest in FR155972; S/T & T/W FR155569; City of Kingston, County of Frontenac

Property Roll Number: 1011 010 040 08800

Introduction and Description of Property

The property at 62-74 Barrie Street is located on the west side of Barrie Street, midblock between Okill and Stuart Streets, adjacent to City Park, in the City of Kingston. This approximately 2,400 square metre property contains a collection of two-and-a-half storey brick buildings of varying residential architectural styles, constructed between the mid-19th and early 20th centuries.

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 **Chown House** (62 Barrie Street) has design value as a rare example of an Edwardian Classical house in the City of Kingston. Constructed circa 1911 and purchased by Percy and Myrtle Chown in 1927, this large, detached brick house is characterized by its asymmetrical but balanced massing, which includes a shallow hipped roof with pedimented dormer, a two-storey bay window, and front porch spanning two bays. The deep overhanging eaves and two-storey bay window mirror those on 28 Barrie Street, indicating the possibility of a common architect. The application of simple yet prolific classical detailing includes a dentilled cornice, large modillions, pediments and columns. The building’s red brick walls are laid in stretcher bond with slender joints pointed with a red tinted mortar, giving the walls a uniform character. The original window openings with wooden sash windows, casements in the dormer window, and leaded transom lights on the bay window, have limestone sills and finely executed segmental arches. The tripartite window on the first-floor features

wooden mullions and a dentilled transom light. The pedimented porch rests on brick piers and includes paired and tripled Ionic columns and a wooden balustrade.

The **Doran House** (64 Barrie Street) has design value as a rare example of the Second Empire style in the City of Kingston. Originally constructed as a double-house in the 1850s, the residence's two-and-a-half storey red brick massing is characterized by its bell curved mansard roof with dormer windows, which is the most distinctive element of the Second Empire architectural style and likely added after 1875 as a then trendy alteration. The façade is divided into three bays with the southern bay stepping forward one brick width and featuring the entrance, which includes a stepped brick, round-arched opening with paneled wood door, dentilled transom light (with etched glazing). The house's architectural style is further characterized by its tall window openings with wooden sash windows (some with six-over-six patterning) with limestone sills supported by brick corbels and segmental arches (in a different tone of red brick on the second floor), and a coursed limestone foundation with evidence of original basement window openings with segmental arches. The mansard roof is supported by a bracketed wooden eave with stone corbel at the southeast corner and is capped with a dentilled cornice. The dormers are elegantly detailed, and their arched roofs mirror the brick arch surrounding the front entrance. The front porch is a later addition but does not detract from the architectural quality of the building.

The **Robinson House** (66 Barrie Street) has design value as a representative example of a mid-19th century Victorian residence. Constructed in the 1850s, its two-and-a-half storey red brick massing and detailing closely mirror 64 Barrie Street; the main difference being its original shallow gable roof form. Sharing a party wall, it is likely that 64 and 66 Barrie Streets were constructed as a double-house under a common gable roof and are some of only a few surviving early buildings on the west side of Barrie Street. Its Victorian architectural style is restrained and features red brick walls on a coursed limestone foundation, regularly placed tall window openings with wooden sash windows (some with six-over-six patterning) with limestone sills supported by brick corbels and segmental arches, gabled dormer windows and stone corbels at the southeast and northeast corners. The southern bay steps forward one brick width to feature the entrance, which includes a stepped brick, round-arched opening with an original or early door with wood paneling in the bottom half and glazing in the upper half with dentilled transom light. The northeast corner of the façade terminates with a 'column' of brickwork stepping forward one brick width. The gable roof porch is a later addition and does complement the quality of the architecture.

The **Mooers House** (68-70 Barrie Street) has design value as an unusual example of a large semi-detached residence with an Edwardian Classical influence. Constructed circa 1905 for H.F. Mooers, the building's two-and-a-half storey massing is defined by its mansard roof, and monumental columns, which support second and third floor balconies. The columns frame the north bay of each semi-detached unit, which include a balcony on the second and third floors with a pedimented gable supported by colonettes above the third-floor balcony. On the first floor, the original wooden double leaf doors with transom light (No. 68 with leaded transom light) are recessed within Romanesque Revival style brick arches supported by Ionic columns. The south bays of

each unit feature two storey bay windows with flat roofs and pedimented dormer windows in the mansard roof.

Typical of Edwardian Classical houses are the large windows with leaded transom lights and the application of simple classical detailing, including the widespread use of modillions (under the main eave, on the cornice above the bay windows, on the cornice above the second-floor balconies and under the pedimented gable roofs), and columns (i.e. the two monumental columns, colonettes on the third-floor balconies and Ionic columns framing the entrances). The red brick walls with red tinted mortar joints, continuous stone sills and lintels, recessed brick panels on the bay windows and dressed limestone foundation give the building a sense of robustness and exemplify a departure from the ornate tendencies of the Victorian era. The square capitals on the monumental columns replace earlier Ionic capitals like those supporting the Romanesque Revival style arch over the entrance. Given the large setback between this house and No. 72-74 to the north, the side (north) elevation is unusually prominent along the streetscape and includes an elliptical window with decorative brick trim and sash windows with segmental arches and limestone sills.

The **Walkem House** (72-74 Barrie Street) has design value as a rare example of a large Gothic Revival style house in the City of Kingston. Constructed in 1879 for barrister Richard Thomas Muir Walkem and his wife Emily (nee Henderson), its strong vertical massing, dichromatic brickwork and decorative detailing are characteristic of its architectural style. The building's symmetrical massing is defined by two steeply pitched gables, each with a two-storey bay window. The central bay is recessed with a pair of double wooden doors on the second floor with pointed segmental arch and hood moulding and hipped dormer above. A projecting flat roof portico with double leaf wooden doors and stained-glass transom light is centrally located on the first floor. The original window openings are tall and narrow with segmental arches with key stones on the ground floor and flat arches with hood moldings on the second floor. There is extensive decorative detailing, including dichromatic brickwork, hood moldings, pierced vergeboard on the gables, metal cresting and metal cornices on the bay windows, corbelled brickwork under the cornices at the first and second floors on the bay windows, colonettes framing the first-floor bay windows and central hipped dormer window, and decorative buttresses with stone steps framing the portico. The side (north) addition with gable roof was constructed circa 1938 and while attempting to mirror the architectural style, detracts from the symmetry of the original design. Three original door openings remain on the south elevation that opened onto a full-width side porch (since demolished). The original cast-iron fence on stone base makes a meaningful contribution to the character of the property and surrounding streetscape.

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

72-74 Barrie Street (Walkem House) has design value because it displays a high degree of craftsmanship. The extensive decorative detailing is well-executed and includes a variety of materials such as wood, metal and stone. The dichromatic

brickwork in red with yellow accents is rare in the City of Kingston, as is the painted decorative metal work including cornices, colonettes and cresting.

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.

62 Barrie Street (Chown House) has associative value for its connection to the Chown family. The property was purchased in 1927 by Percy and Myrtle Chown, members of a prominent Kingston family known for their philanthropy. Donations from the Chown family supported the construction of the Sydenham Methodist Church (later United) in 1852 as well as Chown Hall women's residence at Queen's University in 1960.

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.

68-70 Barrie Street (Mooers House) has associative value because it demonstrates the work of well-known Kingston architect, William Newlands. Newlands opened his first Kingston office in 1882. He was a founding member of the Ontario Association of Architects in 1890. William's son, John Creighton Newlands, joined his father as his draftsman in 1903, later becoming a partner in 1910 resulting in a name change to "Newlands & Son". Some of Newlands' best-known works include 169 King Street East, the former Pittsburgh Town Hall on Regent Street in Barriefield Village, the Victoria School (now Queen's School of Business) on Union Street and the Newlands Pavilion along the waterfront in Macdonald Park.

The Mooers House demonstrates Newlands' creativity and skill in the use of the Edwardian Classical style for a double house. Notable features of Newlands' design are the dramatic three-storey columns framing the main entrances with Romanesque arches held up by matching engaged columns.

72-74 Barrie Street (Walkem House) has associative value because it demonstrates the work of well-known Kingston architectural firm, Power & Son. Power & Son originated with John Power's immigration to Canada West (now Ontario) in 1846. John Power quickly established himself as a local architect and in 1872 took into partnership his son, Joseph Power, the firm being called Power & Son. The architectural work of John Power and his sons, Joseph and Thomas, in Kingston is well-documented and includes a variety of residential, commercial, industrial and religious buildings, including such prominent downtown landmarks such as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office.

The Walkem House shows the firm's enthusiasm and creativity in designing a private residence. With its dramatic Gothic peaks, multi-coloured bricks, hood moldings, pierced vergeboard on the gables, metal cresting and cornices, and corbelled brickwork with decorative buttresses, John Power took advantage of the visibility and prominence of this

location, across from City Park, to showcase his skills and use of the dramatic yet organized Gothic style.

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

The property at 62-74 Barrie Street has contextual value because it is important in maintaining and supporting the character of this block of Barrie Street between Okill and Stuart Streets, which displays a rich variety of late 19th/early 20th century architectural styles. The consistency in height, scale, building line and setbacks, as well as the generous front yards with mature landscaping give this block exceptional visual cohesion and integrity.

Heritage Attributes (62 Barrie Street)

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

- Two-and-a-half storey massing with shallow hipped roof and deep overhanging eaves;
- Red brick walls in stretcher/running bond with slender joints and red tinted mortar;
- Two-storey bay window;
- Covered porch with hipped roof supported by ionic columns on brick piers with wooden balustrade and a pedimented entrance;
- Pedimented gable dormer;
- Original window openings featuring leaded transom lights on the bay window with continuous limestone sills and segmental arches;
- Tripartite window on the first floor with sash windows and leaded transom light;
- Decorative wood detailing including dentilled cornice, large modillions, ionic capitals, and fine tracery in pediments;
- Tall brick chimney on south roof face; and
- Rock-faced limestone foundation.

Heritage Attributes (64 Barrie Street)

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

- Two-and-a-half storey massing with bell-curved mansard roof with arched dormers;
- Red brick masonry walls;
- Original window openings with segmental arches and limestone sills;
- Two-over-two wooden sash windows in the dormer windows and six-over-six wooden sash windows at the second floor;
- Decorative wood detailing, including the dentilled cornice, wood brackets, and window surrounds on the dormer windows;
- Stepped brick round-arch entrance opening with wood paneled door with dentilled transom light;

- Front porch, supported by stone and brick piers, square wood columns, with decorative frieze with modillion;
- Stone corbel at southeast corner of wooden eave; and
- Coursed limestone foundation with evidence of original basement windows with segmental arches.

Heritage Attributes (66 Barrie Street)

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

- Two-and-a-half storey massing with shallow gable roof with gabled dormer;
- Red brick masonry walls;
- Wooden eaves supported by decorative wooden brackets;
- Six-over-six wooden sash windows with limestone sills and segmental arches;
- Stepped brick round arch entrance opening with door featuring wood paneling in the bottom half and glazing in the upper half with dentilled transom light; and
- Coursed limestone foundation with evidence of original basement windows with segmental arches.

Heritage Attributes (68-70 Barrie Street)

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

- Two-and-a-half storey massing with mansard roof featuring two identical semi-detached units;
- Red brick walls in stretcher/running bond with tinted red mortar joints;
- Large wooden columns framing the entrance bays and supporting balconies at the second floor;
- Balconies at the second and third floors with wooden balustrades, original door openings with transom light, and pedimented gable roofs supported by colonettes at the third floor;
- Two-storey bay-windows with flat roofs and wooden sash windows with leaded transom lights and continuous stone sills and lintels;
- Pedimented dormers on the mansard roof;
- Window openings with segmental arches on the north elevation;
- Elliptical window with decorative brick trim on the north elevation;
- Decorative brickwork including Romanesque Revival style arches over the entrances and recessed panels between the first and second floors of the bay-windows;
- Decorative classical detailing including pediments, columns, colonettes and modillions;
- Original wooden double leaf entrance doors with transom light (No. 68 with leaded transom light); and
- Evenly coursed bush hammered limestone foundation with ashlar base course and original basement window openings on the façade.

Heritage Attributes (72-74 Barrie Street)

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

- Two-and-a-half storey massing with hipped roof, steeply pitched gables, two-storey bay-windows and central portico entrance with glazed and arched double door;
- Large decorative brick chimney (partially concealed by 1938 addition);
- Red brick walls in stretcher/running bond;
- Decorative detailing, including dichromatic brickwork (yellow brick quoining, corbels, and arches), pierced vergeboards, hood moldings, key stones, and metal cresting, cornices and colonettes;
- Original window openings with segmental and flat arches;
- Original door openings with segmental arches on the south elevation;
- Original wooden double leaf doors with pointed segmental arch stained glass transom;
- Evenly coursed bush hammered limestone foundation with ashlar base course; and
- Decorative cast-iron fence with stone base.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the properties at 9 and 11 Colborne 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 2016;

On March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Crowley House at 9 and 11 Colborne 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

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation

Civic Address:	9 Colborne Street
Legal Description:	Part Lot 382 Original Survey Kingston City as in FR691014; T/W FR691014; City of Kingston, County of Frontenac
Property Roll Number:	1011 030 070 04600
Civic Address:	11 Colborne Street
Legal Description:	Part Lot 382 Original Survey Kingston City as in FR463215; T/W FR463215; City of Kingston, County of Frontenac
Property Roll Number:	1011 030 070 04500

Introduction and Description of Property

The subject properties at 9 and 11 Colborne Street are located on the north side of Colborne Street, just west of Sydenham Street, in the City of Kingston. Spanning two separate properties with a combined area of approximately 300 square metres, this two-storey red-brick double house was constructed between 1875 and 1892, likely as a rental property.

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.

9 and 11 Colborne Street is a representative example of a Georgian-style duplex from the late 19th century. Typical of this architectural style is the symmetrical façade, with side gable roof and twin chimneys. This building features a four-bay façade (two for each unit) with offset front doors. As is common with Georgian buildings, there are limited decorative architectural features. Notable are the window and door openings, which exhibit segmental arches with brick voussoirs. The fenestration on the first and second stories have wood surrounds, stone sills, and what appear to be period two-over-two sash windows. The side gable roof with parapet walls and twin brick chimneys add to the symmetry of the building, reflecting its Georgian influence.

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 located at 9 and 11 Colborne Street is significant in defining the character of the streetscape along the north side of Colborne Street, between Sydenham and Clergy Streets. While the south side of the street demonstrates a continual pattern of highly altered and replaced residential buildings, the north side of Colborne Street displays an almost continuous row of red-brick, 19th century duplexes and row houses.

With its shallow setback, symmetrical fenestration pattern, red-brick construction, and location close to the lot lines, 9 and 11 Colborne Street shares a visual and historical relationship with its surroundings, particularly the brick houses at 2-4, 13-17, 25 and 30 Colborne Street, as well as the stone buildings at 7 and 22 Colborne Street. As part of this group of buildings, the subject duplex helps maintain the historic and eclectic character of this portion of Colborne Street.

Heritage Attributes

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

- Two-storey, red-brick duplex building, with symmetrical four-bay façade (two for each unit) and side gable roof with parapet walls and twin brick chimneys;
- Offset front doors with segmentally arched openings topped by brick voussoirs and feature segmentally arched transoms;
- Segmentally arched window openings with brick voussoirs and sills; and
- Limestone foundation.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the properties at 22 Colborne 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 22 Colborne Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation

Civic Address: 22 Colborne Street
Legal Description: Part Lot 340 Original Survey Kingston City Parts 1, 2
13R4728; S/T FR352314; City of Kingston, County of
Frontenac
Property Roll Number: 1011 030 080 00900

Introduction and Description of Property

22 Colborne Street is located on the south side of the street, mid-block between Clergy and Sydenham Streets in downtown Kingston. The approximately 286 square metre residential property includes a two-storey limestone house, constructed circa 1866, with third storey shed dormers on both the front and rear roof pitches.

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 property has physical/design value as a representative example of a classical limestone dwelling with a Georgian influenced simple rectangular side-gable plan. On the main façade the stones are smooth ashlar, laid in uniform courses, while the side and rear walls have hammer-dressed, uncoursed stonework. The off-set doorway is recessed with paneled reveals, with a semi-circular arched transom. The gable hood was likely a later addition.

The regular pattern of openings, with tall stone voussoirs and stone windowsills, reflects the Georgian style. The large shed dormers dominate the roof line, but the Georgian influence is still visible in the original roof profile with gable end parapets with ashlar corbels, and the stone chimney on the western roof ridgeline.

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.

22 Colborne Street is significant in defining the character of the streetscape on Colborne Street, between Sydenham and Clergy Streets. This area of downtown Kingston exhibits a continual pattern of reuse and replacement of existing structures

that has left examples of building from the mid-19th century to the present. The streetscapes' historic buildings vary in height from one-and-a-half to two-and-a-half storeys. The north side of Colborne Street includes an almost continuous row of exclusively red-brick 19th century duplexes and row houses; dotted by a few limestone buildings. The south side of Colborne Street is a mix of stone, frame and brick buildings, mostly single detached units. This variety in 19th century design and materiality creates a distinct character and a visually appealing and diverse streetscape.

With its shallow setback, symmetrical fenestration pattern, limestone construction, and location close to the lot lines, 22 Colborne Street shares a visual and historical relationship with its surroundings, particularly the 19th century brick houses at 9-11, 13-17, 25 and 30 Colborne Street, as well as the limestone building at 7 Colborne Street and the former Queen Street Methodist Church at 221 Queen Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Colborne Street.

Heritage Attributes

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

- Two-storey massing with medium pitched side gable roof with end gable parapets and stone chimney;
- Limestone construction of coursed ashlar stone (on the front/north façade) and uncoursed hammer-dressed stone (on the side elevations) limestone construction;
- Tall coursed and hammer-dressed limestone foundation;
- Regular pattern of window and door openings on the north elevation with tall stone voussoirs and stone windowsills; and
- Central doorway with recessed paneled reveals, transom window, tall stone voussoirs and stone step.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the properties at 30 Colborne 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 30 Colborne Street, known as the Queen Street Methodist Church Parsonage (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Queen Street Methodist Church Parsonage

Civic Address: 30 Colborne Street
Legal Description: Part Lot 341, Original Survey, being Part 3, 13R19716; City of Kingston, County of Frontenac
Property Roll Number: 1011 030 080 01210

Introduction and Description of Property

The former Queen Street Methodist Church Parsonage at 30 Colborne Street is located on the south side of the street, mid-block between Clergy and Sydenham Streets in downtown Kingston. The approximately 300 square metre property includes a two-and-a-half storey red brick house, with a one-and-a-half storey gable roofed rear addition. The building was built to plans by Joseph Power of Power and Sons firm for the Queen Street Methodist Church in 1880.

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 property has physical/design value as the residence is a unique example of late Victorian residential architecture with religious architectural motifs. While the two-and-a-half storey scale, red brick construction with high limestone foundation, pitched roof, decorative off-set entranceway and grand embellishments at the cornice reflect the Victorian style, the former Parsonage has several unusual features for a Victorian residence.

The brick detailing on the house adds to its grandeur and is indicative of its importance to the members of the Queen Street Methodist Church. The red bricks on the main façade are laid in a stretcher bond pattern, while the side elevations are common bond. Projecting brick key stones and voussoirs are present above all openings. The openings are Tudor arched on the main façade and flat headed on the side elevations. The front wall includes a giant pointed arch formed by a two-storey recessed panel with windows centrally placed within. The arch design is symbolic of the open arches often separating the nave from the sanctuary in a church and thus speaks to the religious connections to this building.

One of the most distinguishing and unique features of the house is its cross-gable roof with hipped roof gables, deep dentilled cornice decorated in bas relief foliage and bracketed eaves. Beneath the modern porch is an entranceway with classical detailing above a wide wooden door with open iron grillwork. A tall French window is extant on the side elevation, indicating the possible presence of an original verandah. The

windows on the second floor are large single openings, while the partial third floor includes twin windows located centrally beneath the hipped gables.

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 Parsonage is of historical/associative value as it yields information that contributes to an understanding of the development of the Methodist church in Kingston. There have been successive churches built on the corner of Clergy and Queen Streets since the mid-1860s, each a response to fires that destroyed the earlier structure. The expansion of church operations over time led to the acquisition and construction of residential buildings. The Queen Street Methodist Church Parsonage was built to provide the residing minister a place to live where he would be in close proximity to the church and its parishioners at all times. The Reverend Joseph Hagan was the first occupant of the house. After 1958 it served as a meeting hall for members of Queen Street United Church congregation until it was sold in 1968.

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 Parsonage has historical/associative value through its association with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent Kingston landmarks such as McIntosh Castle, Fire Hall No.1 and the Frontenac County Registry Office. They are also credited for designing several religious buildings in Kingston, such as the Cataraqui Methodist Church on Sydenham Road, St. Andrew's Church, St. John's Church Hall and the enlargement of St. George's Cathedral. The Queen Street Methodist Church Parsonage is directly attributed to Joseph Power who showed his creativity with the decorative brick and wooden features and subtle religious symbology.

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 former Queen Street Methodist Church Parsonage is significant in defining the character of the streetscape on Colborne Street, between Sydenham and Clergy Streets. This area of downtown Kingston exhibits a continual pattern of reuse and replacement of existing structures that has left examples of building from the mid-19th century to the present. The streetscapes' historic buildings vary in height from one-and-a-half to two-and-a-half storeys. The north side of Colborne Street includes an almost continuous row of exclusively red-brick 19th century duplexes and row houses; dotted by a few limestone buildings. The south side of Colborne Street is a mix of stone, frame

and brick buildings, mostly single detached units. This variety in 19th century design and materiality creates a visually appealing and diverse streetscape. With its shallow setback, red brick construction and location close to the lot lines, the former Parsonage shares a visual and historical relationship with its surroundings, particularly the 19th century brick houses at 9-11, 13-17 and 25 Colborne Street, as well as the limestone building at 7 and 22 Colborne Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Colborne Street.

The former Parsonage is also historically linked to the former Queen Street Methodist/United Church at 221 Queen Street (now a hotel and shared office space) and a cluster of buildings associated with the former Church operations, including the nearby church itself and Maple Cottage/Sexton house at 151 Clergy Street. Originally built on (or very near) the church property and under the direction of the church congregation, the former Parsonage is directly linked to the history and evolution of the Queen Street church.

Heritage Attributes

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

- Two-and-a-half storey massing with complex cross-gable roof with hipped gables;
- Red brick construction laid in stretcher bond (on the front/north façade) and common bond (on the side elevations);
- Two-storey recessed pointed-arch brick panel on the front wall;
- Tall coursed (front wall) and uncoursed (side walls) hammer-dressed limestone foundation with smooth ashlar sill course on the facade;
- Deep decorative wooden cornice, including dentilled frieze, large brackets decorated in bas relief foliage, bracketed eaves, wooden soffits and eaves returns;
- Tudor arched window and door openings on the north elevation with brick voussoirs and stone window sills;
- Flat headed window openings on side elevations, including a tall French window on the west side; and
- Wide central doorway with classical detailing above and a wooden door with open iron grillwork.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 37 Kennedy 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 37 Kennedy 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

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

City of Kingston By-Law Number 2024-XX

Schedule “A”
Description and Criteria for Designation
Henley Cameron House

Civic Address: 37 Kennedy Street
Legal Description: Part Lot 1 S/S Union St & N/S Kennedy St Plan 54 Kingston
City as in FR150913; City of Kingston, County of Frontenac
Property Roll Number: 1011 070 130 16600

Introduction and Description of Property

The Henley Cameron House at 37 Kennedy Street is located on the north side of the street, at the northwest corner with Yonge Street in the Village of Portsmouth, now City of Kingston. This approximately 358 square metre residential property contains a two-storey vernacular frame house constructed circa 1847 for Joseph Henley and altered in the 1850s by carpenter Alexander Cameron.

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 Henley Cameron House is a representative example of a mid-19th century one-and-a-half storey wood frame Georgian cottage. Typical of the Georgian style is the side gable roof and a central unadorned entranceway, flanked by symmetrically placed windows. While this building has been modified and restored several times, its profile, massing and fenestration pattern still retain a strong Georgian character. The vinyl siding, while a modern intervention, is reminiscent of the original wooden clapboard siding.

The house was built for Joseph Henley around 1847, who then sold it to Alexander Cameron in 1855. Cameron was a Scottish emigrant and carpenter. He added several embellishments to this restrained Georgian house, including the lacy gingerbread (vergeboard) on the east and west end gables and the one storey bay window on Yonge Street, in 1879. The bay window once included elaborate vertical molding as well as paneling below the windows, and a frieze of recessed ovals with applied flower ornaments above the windows. The decorative cornice with dentils is extant.

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

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

location with frontage onto Yonge Street (once Main Street), the Henley Cameron 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:

- Two-storey dwelling of wood frame construction with a limestone foundation;
- Side gable roof with decorative vergeboard at each gable end;
- Symmetrical front façade with central entranceway and rectangular window openings;
- One storey bay window on east elevation, with dentilled cornice; and
- Visibility and legibility of its heritage attributes from the road.

1193 Front Road –
Grass House



123-129 Princess Street –
Foster Building



1359 Unity Road –
Hunter Farmhouse



26-34 Barrie Street –
Cappon House, Bibby House & Strange House



Bibby House – 28 Barrie



Cappon House – 26 Barrie



Strange House – 34 Barrie

2638 Kepler Road –
Powley Farmhouse



3578 Unity Road –
Raycroft Farmhouse



62-74 Barrie Street –
Chown House, Doran House, Robinson House,
Mooers House & Walkem House



Chown House –
62 Barrie St



Doran & Robinson Houses – 64-66 Barrie St

62-74 Barrie Street –
Chown House, Doran House, Robinson House,
Mooers House & Walkem House



Mooers House –
68-70 Barrie St



Walkem House –
72-74 Barrie St

9 and 11 Colborne Street



22 Colborne Street



30 Colborne Street –
Queen Street Methodist Church Parsonage



37 Kennedy Street –
Henley Cameron House



Google - 2020



From Yonge St - 2024
167

Permit Reporting to Committee

File Number	Stream Type	Status	Property Address	Scope of Work	Planner
P18-099-2023	Stream 1	Permit Issued	55 Stuart St.	Reroofing Summer Hill	PP
P18-002-2024	Stream 1	Permit Issued	211 Barrie St.	Window Repairs	PP
P18-007-2024	Stream 1	Permit Issued	32 Simcoe St.	Replacing Storm Windows	NK
P18-009-2024	Emergency Approval	Permit Issued	5 Court St.	Replace Rear Door	RL
P18-010-2024	Stream 1	Permit Issued	354 King St. East	Signage	RL
P18-011-2024	Stream 1	Permit Issued	85 Sydenham St.	Rear Window, Garage Doors, and Driveway	RL