



**City of Kingston  
Kingston Heritage Properties Committee  
Meeting Number 05-2024  
Agenda**

**Wednesday, April 17, 2024 at 9:30 a.m.  
Hosted at City Hall in Council Chamber**

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Please provide regrets to Iain Sullivan, Committee Clerk at 613-546-4291, extension 1864 or [isullivan@cityofkingston.ca](mailto: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 04-2024, held Wednesday, March 20, 2024, be approved.
- 4. Disclosure of Pecuniary Interest**
- 5. Delegations**

**6. Briefings**

**7. Business**

**a) Pre-consultation**

**b) Policy Development and Implementation**

**c) Stream Two Permits – Approval through Delegated Authority**

**i. Subject: Application for Ontario Heritage Act Approval**

**Address: 73 Baiden Street**

**File Number: P18-019-2024**

The Report of the Commissioner of Community Services (HP-24-017) is attached.

Schedule Pages 1 – 40

Recommendation:

**That** alterations to the property at 73 Baiden Street be referred to the Director of Heritage Services for the issuance of final approval, in accordance with the details described in the application (P18-019-2024), which was deemed complete on March 1, 2024, with said alterations to include:

Southern Limestone Portion of the Building:

1. Repair/restore existing Period Windows and associated frames in a white colour;
2. Replacement of existing aluminum storm windows with wooden storm sash windows;
3. Repair existing decorative verge board and soffits/fascia;
4. Repair/redesign/enlarge the existing roofless south facing front porch by approximately 1.1 metres, not including the area of the stairs, in a style sympathetic to the building's heritage value;

Eastern Elevation of the Northern 1970s Addition:

1. Replacement of existing aluminum storm windows with wooden storm windows;
2. Replacement of two existing second floor modern windows with new modern windows in the eastern deck alcove;

3. Replacement of an existing door with a window in the eastern deck alcove;
4. Replacement of an existing window with a sliding door in the eastern deck alcove;
5. Replacement of existing siding in the eastern deck alcove with Maibec overlapping wood siding in a charcoal colour;
6. Replacement of the existing side yard deck with a new deck that is approximately three times the area, which will begin in the alcove and extend to the north of the property with an associated wood privacy fence on the southern deck boundary; and

**That** the approval of the application be subject to the following conditions:

1. That Heritage Planning staff review/approve the finalized southern (front) porch details to ensure the style/design is sympathetic to the building's heritage value;
2. Should property research discover the original porch design or a design from a suitable restoration period, that design will also be considered to be sympathetic to the building's heritage value, regardless of its size/orientation;
3. That Heritage Planning staff review/approve the finalized colour selection of the eastern elevation (side yard) deck and associated privacy fence prior to installation;
4. That Heritage Planning staff review/approve the finalized design of the privacy fence and eastern elevation (side yard) deck railing prior to installation;
5. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
6. Should any Period Windows or transoms require replacement, the request shall be accompanied with a window assessment by a qualified professional for each related window in accordance with the existing Window Policy prior to their removal/replacement;
7. That all repairs to wooden features be done with like materials and match existing features in scale and profile;
8. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;

9. That an encroachment and/or temporary access permit be obtained, as necessary;
10. A tree permit shall be obtained, as necessary;
11. A Building Permit shall be obtained, as necessary;
12. That all *Planning Act* approvals are obtained, as necessary;
13. Heritage Services staff shall be circulated the drawings and design specifications tied to the Building Permit and/or *Planning Act* application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application; and
14. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

**d) Stream Three Permits – Approval through Council Authority**

**i. Subject: Application for Ontario Heritage Act Approval**

**Address: 160 Bagot Street**

**File Number: P18-015-2024**

The Report of the Commissioner of Community Services (HP-24-019) is attached.

Schedule Pages 41 – 68

Recommendation:

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

**That** the addition on the property at 160 Bagot Street, be approved in accordance with the details described in the application (File Number P18-015-2024), which was deemed complete on March 8, 2024, with said alterations to include:

1. The construction of a new two-and-a-half-storey addition to the rear of the dwelling, connected by a one-storey mud room;
2. The construction of a patio at the rear of the new addition; and

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

1. Details, including colour(s), materials and dimensions of windows, doors, cladding, trim, patio and roofing shall be submitted to

Heritage Planning staff, prior to construction, for final review and approval;

2. The rear yard window and door, where the proposed mud room is, shall be retained;
3. An Encroachment Permit and/or Temporary Access Permit shall be obtained, where necessary;
4. A Building Permit and all *Planning Act* approvals shall be obtained, where necessary;
5. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application;
6. The combined sewers shall be replaced with separated storm and sanitary sewers, to the satisfaction of Utilities Kingston;
7. A downstream sewer assessment shall be completed to the satisfaction of Utilities Kingston;
8. If additional metering or service upgrade is required, a service request will be needed;
9. A grading plan shall be submitted and completed to the satisfaction of Engineering Services;
10. The applicant is responsible for obtaining all required approvals and costs associated with the relocation of existing utilities; and
11. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

**ii. Subject: Application for Ontario Heritage Act Approval**

**Address: 158 Earl Street**

**File Number: P18-014-2024**

The Report of the Commissioner of Community Services (HP-24-020) is attached.

Schedule Pages 69 – 100

Recommendation:

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

**That** the alterations at 158 Earl Street, be approved in accordance with the details described in the application (File Number P18-014-2024), which was deemed complete on March 13, 2024, with said application to include the following:

1. The construction of a new shed dormer to the rear roof pitch;
2. The replacement/repair of all windows, using metal-clad wooden windows in a period appropriate style and pattern, where necessary;
3. The recladding of the shed dormers on the front roof pitch with wooden shingles; and
4. The installation of new exterior light adjacent to the main front door; and

**That** the approval of the application be subject to the following conditions:

1. A Building Permit(s) shall be obtained, as necessary;
2. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the heritage permit sought by this application;
3. Details, including colour(s) of the new windows, wall cladding, roofing, rain gear and lighting shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure they complement the heritage character and attributes of the district;
4. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
5. The owners are encouraged to retain and repair, or salvage and donate, any heritage-contributing wooden window noted in the application;
6. The owners are encouraged to retain and incorporate, or salvage and donate, the existing stained-glass transom window in the design of the new front window;

7. Any works that interface with the masonry of the building shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings; All *Planning Act* applications, including minor variance, shall be completed, as necessary; and
8. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

**iii. Subject: Application for Ontario Heritage Act Approval**

**Address: 28 Maitland Street**

**File Number: P18-018-2024**

The Report of the Commissioner of Community Services (HP-24-021) is attached.

Schedule Pages 101 – 132

Recommendation:

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

**That** the new construction at 28 Maitland Street, be approved in accordance with the details described in the application (File Number P18-018-2024), which was deemed complete on March 14, 2024, with said application to include the construction of a detached storage building and garbage enclosure; and

**That** the approval of the application be subject to the following conditions:

1. All *Planning Act* applications shall be completed, as necessary;
2. Details, including colour(s) and specifics, of the new roofing, rain gear and lighting, if applicable, shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure they complement the heritage character and attributes of the district; and

3. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

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

- i. **Addresses: 1553 Sunnyside Road, 265 King Street East, 275 King Street East, 2785 Lee Road, 375 Maple Ridge Drive, 730 Hillview Road, 149 Brock Street, 161 Brock Street, 163 Brock Street, 319 & 321 King Street West, and 347 Wellington Street**

The Report of the Commissioner of Community Services (HP-24-018) is attached.

Schedule Pages 133 – 212

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 1553 Sunnyside Road, known as the Fairbanks 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-24-018; 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 1553 Sunnyside Road, attached as Exhibit B to Report Number HP-24-018, 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 265 King Street East, known as Dr. Connell/Pilot House 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-24-018; 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 265 King Street East, attached as Exhibit C to Report Number HP-24-018, 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 275 King Street East, known as the Wire Works 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-24-018; 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 275 King Street East, attached as Exhibit D to Report Number HP-24-018, 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 2785 Lee Road, 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-24-018; 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 2785 Lee Road, attached as Exhibit E to Report Number HP-24-018, 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 375 Maple Ridge Drive, known as the Carolan 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-24-018; 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 375 Maple Ridge Drive, attached as Exhibit F to Report Number HP-24-018, 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 730 Hillview Road, known as the John Grass Jr. 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-24-018; 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 730 Hillview Road, attached as Exhibit G to Report Number HP-24-018, 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 149 Brock Street, known as the McKay Fur 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-24-018; 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 149 Brock Street, attached as Exhibit H to Report Number HP-24-018, 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 161 Brock Street, known as the Norris 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-24-018; 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 161 Brock Street, attached as Exhibit I to Report Number HP-24-018, 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 163 Brock Street, known as the Dupuis 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-24-018; 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 163 Brock Street, attached as Exhibit J to Report Number HP-24-018, 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 319 King Street West, 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-24-018; 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 319 King Street West, attached as Exhibit K to Report Number HP-24-018, 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 321 King Street West, 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-24-018; 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 321 King Street West, attached as Exhibit K to Report Number HP-24-018, 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 347 Wellington Street, known as the Davis Dry Dock, 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-24-018; 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 347 Wellington Street, attached as Exhibit L to Report Number HP-24-018 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 213

- 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, May 15, 2024 at 9:30 a.m.

- 13. Adjournment**



**City of Kingston**  
**Report to Kingston Heritage Properties Committee**  
**Report Number HP-24-017**

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**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:** April 17, 2024

**Subject:** Application for Ontario Heritage Act Approval

**Address:** 73 Baiden Street (P18-014)

**File Number:** P18-019-2024

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**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

The subject property with the municipal address of 73 Baiden Street is a two-storey limestone house with an attached modern rear addition, located on the northeastern corner of the intersection of Baiden Street and McDonald Avenue, approximately 225 metres east of the St. Lawrence College campus. The property is designated under Part IV of the *Ontario Heritage Act*.

An application for alteration under Section 33 of the *Ontario Heritage Act* (P18-019-2024) has been submitted to request approval to repair/restore Period Windows, replace existing aluminum storm windows with wooden storm windows, repair decorative verge board and soffits/fascia, and repair/enlarge the front porch on the southern limestone portion of the house, while also seeking the following alterations on the northern 1970s portion of the house: replacement of two existing windows, replacement of an existing door with a window, replacement of an existing window with a sliding patio door, replacement of existing siding with Maibec overlapping wood siding, replacement of the existing side yard deck with a larger deck

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that has approximately three times the area, and the installation of a wood privacy fence connected to the replaced larger deck.

This application was deemed complete on March 1, 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 33(4). This timeframe will expire on May 30, 2024.

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

**Recommendation:**

**That** alterations to the property at 73 Baiden Street be referred to the Director of Heritage Services for the issuance of final approval, in accordance with the details described in the application (P18-019-2024), which was deemed complete on March 1, 2024, with said alterations to include:

## Southern Limestone Portion of the Building:

1. Repair/restore existing Period Windows and associated frames in a white colour;
2. Replacement of existing aluminum storm windows with wooden storm sash windows;
3. Repair existing decorative verge board and soffits/fascia;
4. Repair/redesign/enlarge the existing roofless south facing front porch by approximately 1.1 metres, not including the area of the stairs, in a style sympathetic to the building's heritage value;

## Eastern Elevation of the Northern 1970s Addition:

1. Replacement of existing aluminum storm windows with wooden storm windows;
2. Replacement of two existing second floor modern windows with new modern windows in the eastern deck alcove;
3. Replacement of an existing door with a window in the eastern deck alcove;
4. Replacement of an existing window with a sliding door in the eastern deck alcove;
5. Replacement of existing siding in the eastern deck alcove with Maibec overlapping wood siding in a charcoal colour;
6. Replacement of the existing side yard deck with a new deck that is approximately three times the area, which will begin in the alcove and extend to the north of the property with an associated wood privacy fence on the southern deck boundary; and

**That** the approval of the application be subject to the following conditions:

1. That Heritage Planning staff review/approve the finalized southern (front) porch details to ensure the style/design is sympathetic to the building's heritage value;
2. Should property research discover the original porch design or a design from a suitable restoration period, that design will also be considered to be sympathetic to the building's heritage value, regardless of its size/orientation;

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3. That Heritage Planning staff review/approve the finalized colour selection of the eastern elevation (side yard) deck and associated privacy fence prior to installation;
4. That Heritage Planning staff review/approve the finalized design of the privacy fence and eastern elevation (side yard) deck railing prior to installation;
5. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
6. Should any Period Windows or transoms require replacement, the request shall be accompanied with a window assessment by a qualified professional for each related window in accordance with the existing Window Policy prior to their removal/replacement;
7. That all repairs to wooden features be done with like materials and match existing features in scale and profile;
8. All masonry works shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
9. That an encroachment and/or temporary access permit be obtained, as necessary;
10. A tree permit shall be obtained, as necessary;
11. A Building Permit shall be obtained, as necessary;
12. That all *Planning Act* approvals are obtained, as necessary;
13. Heritage Services staff shall be circulated the drawings and design specifications tied to the Building Permit and/or *Planning Act* application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application; and
14. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

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**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 |



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**Options/Discussion:**

**Description of Application/Background**

The subject property with the municipal address of 73 Baiden Street is located on the northeastern corner of the intersection of Baiden Street and McDonald Avenue, approximately 225 metres east of the St. Lawrence College campus.

73 Baiden Street is a two-storey limestone residence built in 1869 that is located close to the front and side property lines on a corner lot in the Portsmouth Village Heritage Character Area (Character Area) (Exhibits A and B). As other visible buildings near this intersection are either further setback or are oriented away from the street, this building has a disproportionately large impact on the character of its immediate area. In addition, due to its location on the property, the sides and front of the building are visible to the traveling public. As the proposed alterations along the front and side elevations of this property will be visible for at least a portion of the year, additional care/consideration on how these alterations will occur and the potential impact to the Character Area is necessary. A review of the impacts to the property and the Character Area are detailed below.

Aspects of this proposal (namely the deck, siding, window restoration and storm window works) reflect a continuation and evolution of the works from two previously approved heritage approvals from 2019 (P18-032-2019DA & [P18-002-2019](#)), which have since expired.

**Reasons for Designation/Cultural Heritage Value**

The property is designated under Part IV of the *Ontario Heritage Act* by Designation By-Law Number 9360A, which has the following property entry:

“This limestone house built c. 1869 is a typical village dwelling of the period with the verge boards adding a decorative touch to an otherwise simple residence.”

The property is also on the edge of the “Portsmouth Village Heritage Character Area” as shown in Schedule 9 of the City’s Official Plan (Exhibit A).

The 1970s era modern addition has no heritage value but is appropriate in scale.

**Cultural Heritage Analysis:**

**Best Heritage Conservation Practices**

“The Standards and Guidelines for the Conservation of Historic Places in Canada” (Standards and Guidelines) provides guidance on best practices including on visual relationships, exterior form, entrances/porches, wood/wood products and masonry. The table below organizes the most relevant/important best practices related to this proposal into categories as well as summarizes the guidelines applicable to most categories:

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| Standards and Guidelines<br>Section Number & Categories |                                     | Best Practices Detailed in the Standards and Guidelines   |
|---|-------------------------------------|---|
| 4.1.5,<br>4.3.1,<br>4.3.6,<br>4.5.2<br>&<br>4.5.3       | Applicable to Most Below Categories | <ul style="list-style-type: none"> <li>• Understand how the landscape, feature, material, building or attribute contributes to the setting or property;</li> <li>• Document all interventions that impact the setting or property’s heritage value;</li> <li>• Understand the design principles used or exemplified by the original designer and/or building;</li> <li>• Assess the condition of the building, feature and/or attribute early in the planning process;</li> <li>• Protect adjacent features and attributes from accidental damage or exposure during works;</li> <li>• Find solutions to meet accessibility requirements that are compatible with the exterior form and property features; and</li> <li>• Repair/retain attributes/features that contribute to the heritage value of the historic place, this may include limited like-for-like patching/consolidation/piecing-in.</li> </ul> |
| 4.1.5   | Visual Relationships                | <ul style="list-style-type: none"> <li>• Retain sound features that define visual relationships or deteriorated features that can be repaired or rejuvenated; and</li> <li>• Design a new feature that respects the historic visual relationship by matching established proportions and densities.</li> </ul>  |
| 4.3.1   | Exterior Form                       | <ul style="list-style-type: none"> <li>• Protect/maintain elements of the building’s exterior form through cyclical or seasonal maintenance work;</li> <li>• Select the location for a new addition that ensures that the heritage value of the place is maintained; and</li> <li>• Design an addition that is compatible in terms of materials and massing.</li> </ul>   |
| 4.3.6   | Entrances/Porches                   | <ul style="list-style-type: none"> <li>• Remove/alter a non character-defining entrance/porch from a period other than the restoration period.</li> </ul>   |
| 4.5.2   | Wood and Wood Products              | <ul style="list-style-type: none"> <li>• Understand the properties/characteristics of wood and its finishes/coatings;</li> <li>• Protect wood by preventing water penetration/organic growth;</li> <li>• Use the gentlest means of removing paint when the features is too deteriorated to recoat;</li> <li>• Retain all sound/repairable wood that contributes to the heritage value of the historic place/property;</li> <li>• Select replacement materials based on physical and visual characteristics; and</li> </ul>  |

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|       |         |  |
|-------|---------|--|
|       |         | <ul style="list-style-type: none"> <li>Replace a wood element in kind from the restoration period that is unrepairable based on documentary and/or physical evidence.</li> </ul> |
| 4.5.3 | Masonry | <ul style="list-style-type: none"> <li>Retain sound/repairable masonry that contributes to the heritage value of the historic place.</li> </ul>                                  |

**Applicable Local Policy/Guidelines**

The City’s Official Plan has identified several areas on Schedule 9 that have a specific heritage character (Exhibit A). To ensure these Character Areas maintain their value, the Official Plan identifies several policies that are meant to conserve the area’s cultural heritage value. The relevant Portsmouth Village Heritage Character Area policies for the subject property include: “conserving and maintaining the cultural heritage value of the built heritage resource...”, to ensure “...compatibility with existing development”, and “supporting the village atmosphere through the preservation and design of streetscapes...”.

**Summary of Project Proposal and Impact Analysis:**

The applicant seeks to alter the southern limestone portion of the building and the eastern elevation of the northern 1970s addition (Exhibit C). The impact analysis will follow the below summary of proposed alterations:

*Southern Limestone Portion of the Building:*

1. Repair/restoration of existing Period Windows and associated frames in a white colour;
2. Replacement of existing aluminum storm windows with wooden storm windows;
3. Repair of existing decorative verge board and soffits/fascia; and
4. Repair/redesign/enlargement of the existing roofless south facing front porch by approximately 1.1 metres, not including the area of the stairs, in a style sympathetic to the building’s heritage value.

*Eastern Elevation of the Northern 1970s Addition:*

1. Replacement of existing aluminum storm windows with wooden storm windows;
2. Replacement of two existing second storey modern 1970s era windows with new modern windows in the eastern deck alcove;
3. Replacement of an existing door with a window in the eastern deck alcove;
4. Replacement of an existing window with a sliding door in the eastern deck alcove;
5. Replacement of existing siding in the eastern deck alcove with Maibec overlapping wood siding in a charcoal colour; and
6. Replacement of the existing side yard deck with a new deck that is approximately three times the area, which will begin in the alcove and extend to the north of the property with an associated wood privacy fence on the southern deck boundary.

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**Southern Limestone Portion of the Building Impact Analysis**

The proposed works on the limestone portion of the building conform to the Standards and Guidelines and the relevant Character Area policies. The repair/restoration of existing Period Windows and associated frames is consistent with best conservation practices and complies with the City's Window Policy (Exhibit C). Should any of these windows require replacement, the applicant shall submit a window assessment by a qualified professional in alignment with the City's Window Policy. In terms of their colour, white is appropriate as this colour is compatible with existing properties in the Character Area. Further, while the attachment of storm windows is not usually a permanent alteration, the replacement of aluminum storm windows with wooden storm sash windows is a welcome alteration even if they are only used seasonally (Exhibit C). This should improve the heritage value of the property while continuing to protect Period Windows.

The repair of the wooden decorative verge board and the associated soffits/fascia also aligns with widely accepted heritage conservation approaches (Exhibit C). Best conservation practices also call for repair works to use the gentlest means of removing paint and that the owner understand the characteristics of existing/new finishes/coatings with the goal of protecting wooden features from water penetration and organic growth. In addition, should limited replacement be required to restore these important features, it shall be done with like materials and match existing features in scale and profile. Both this and the above Period Window works will conserve and maintain "the cultural heritage value of the built heritage resource."

Finally, the repair/redesign/enlargement of the existing roofless south facing front porch is likely to have a large impact on the appreciation of the property due to the location of the porch and building (Exhibits A and C). As such, it is important that the design be in a style that is sympathetic to the building's heritage value. The porch is proposed to extend approximately 1.1 metres east to the edge of the existing concrete walkway and stair orientation, which is not included in the 1.1 metre extension figure, and will change to face Baiden Street (Exhibit C). As the applicant has not yet designed this porch, staff have recommended that the style be simple with minimal decorative features and remain roofless to ensure the southern façade maintains its visual prominence. Alternatively, should additional property research discover the original porch or a suitable restoration period design, that design will also be considered sympathetic to the building's heritage value, regardless of its size/orientation. While the design is not finalized, if the configuration is amended to the proposed orientation it will better frame an existing Period Window that is at the terminus of the walkway (Exhibits C and D). Further, if the porch will be anchored into the limestone it shall only be attached in alignment with the City's Masonry Policy to ensure reversibility. A new appropriately designed porch should improve the value of the property and support the "...village atmosphere through the preservation and design of streetscapes" as the existing/proposed porch abuts or will exceed the front lot line (Exhibit C).

April 17, 2024

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**Eastern Elevation of the Northern 1970s Addition Impact Analysis:**

The proposed works on the eastern elevation of the northern 1970s addition conforms to the Standards and Guidelines and relevant Character Area policies. As many of these works will be in the eastern elevation alcove between the bulk of the 1970s addition and the limestone portion of the building, most of the proposed works along this elevation will not draw significant attention especially from the late Spring through early Fall when the side yard flora is in bloom (Exhibits A, C and D). These works include: (1) the replacement of aluminum storm windows with wooden storm windows, (2) the replacement of two upper storey windows, (3) the replacement of an existing door with a window and (4) the replacement of an existing window with a sliding door.

As on the limestone portion of the building, the replacement of aluminum storms with wooden storms, even if seasonal, should improve the appreciation of the property and result in a consistent fenestration strategy for the building (Exhibit C). Further, the two upper storey windows are either aluminum or wooden windows from the 1970s that have different designs. The 1970s era modern windows will be replaced with new double hung sash one-over-one Loewen aluminum clad wood windows, maintaining their existing opening size. This will result in a consistent fenestration pattern across the second floor of the eastern elevation of the 1970s addition (Exhibit C). In addition, the removal of a door and its replacement with a window as well as the removal of a window and its replacement with a sliding door will constitute a neutral impact as neither opening or window/door has heritage value and is not easily visible from the street (Exhibit C).

Despite the minor impacts resulting from the replacement of fenestration, the other two alterations (the expanded side yard porch and the new siding) on this elevation will be more visible and could draw attention from the limestone portion of the building (Exhibit C). The newly proposed siding was approved in 2019 ([P18-002-2019](#)) and has already been installed on the rear portion of the 1970s addition in alignment with that approval. The applicant seeks to extend the charcoal coloured Maibec overlapping wood siding to the alcove area (Exhibit C). This siding is a great improvement over the existing siding as the colour is generally neutral, is a higher quality material, and will allow for the rear addition to have a consistent design while remaining subordinate and sympathetic to the limestone portion of the building.

While the new siding should reduce the visual attention on the eastern elevation, the new porch may draw more attention when compared to other proposed alterations as it will be approximately three times the size of the existing, extend outside of the alcove and will have an associated wooden privacy fence on its southern boundary (Exhibit C). Despite the size increase, the deck and associated privacy fence is proposed to be wood, which is an appropriate material for the property/Character Area. In addition, a large portion of the new area and stairs will be focused on the northern portion of the rear addition away from the important southern façade of the building (Exhibit C). While the new porch may draw increased attention, it will clearly be considered a modern addition and will increase the usability of the property. Nevertheless, if the deck is painted in an inappropriate colour this could draw additional attention. As such, if the deck will be painted staff will review/approve the finalized colour selection to ensure it draws minimal attention. Finally, during late Spring through early Fall this

April 17, 2024

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porch will be less visible due to existing flora, despite the large side yard setback (Exhibits A and D). The overall impact to the property's heritage value from this new deck is minimal.

Overall, the proposed alterations to the subject property will improve the property's heritage value and its usability.

### **Previous Approvals**

P18-002-2019 – Two storey addition, new skylights, new patio deck and window removals.

P18-032-2019DA – Repair/repaint wood windows, replacement of aluminum storm windows and new front door.

### **Comments from Department and Agencies**

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

#### **Engineering Services:**

Development Engineering has no objections to this application. If temporary encroachment for construction purposes is required within the road allowance then a Permit from the City is required in accordance with City By-Law 2004-107.

#### **Utilities Kingston:**

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

#### **Planning Services:**

The proposed deck complies with the maximum lot coverage for decks in a UR zone and with the required setbacks. No concerns with deck. Porch will continue to require a Permission application for expansion.

#### **Building Services:**

No concerns with heritage permit, however a building permit will also be required for structural modifications for window/door changes and extension of deck.

#### **Forestry:**

The existing deck and proposed deck redevelopment is located within the critical root zone area of the city owned Blue spruce located at the southwest corner of the property. The applicant will be required to apply for a Tree Permit to address tree preservation concerns during construction. An Arborist Report with tree preservation plan, along with specific fencing and root zone compaction management details will need to be included in the report as part of the submission for the Tree Permit. The Tree Permit can be applied for through DASH and will be processed through Planning Services.

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### Consultation with Heritage Properties Committee

The Kingston Heritage Properties Committee was consulted on this application through the Development and Services Hub ([DASH](#)) system. Staff have received one set of comments from circulated Committee members. The Committee's comments have been compiled and attached as Exhibit E.

The commenting member commended the applicant on their window restoration works and newly proposed storm windows as well as stating that the project was "well thought out and... supportable." Finally, they provided suggestions on the finalized porch design for the applicant's consideration.

### Conclusion

Staff recommends approval of the application File Number (P18-019-2024), subject to the conditions outlined herein, as there are no objections from a built heritage perspective, and no concerns have been raised by internal departments.

### Existing Policy/By-Law:

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

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

City of Kingston Official Plan

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

Policy on Masonry Restoration in Heritage Buildings

Policy on Window Renovations in Heritage Buildings

Designation By-Law Number 9360A

### Notice Provisions:

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

### Contacts:

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

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

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**Exhibits Attached:**

Exhibit A Mapping Information

Exhibit B Designation By-Law 9360A

Exhibit C Application Cover Letter & Design Package

Exhibit D Site Visit Photos & Google Streetview Photo

Exhibit E Correspondence Received from the Heritage Properties Committee





Planning Services

# Kingston Heritage Properties Committee

## Key Map

Address: 73 Baiden Street

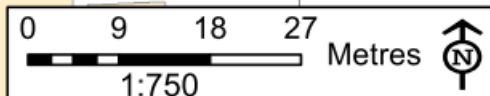
File Number: P18-019-2024

Prepared On: Mar-11-2024

 Subject Lands



Prepared By: ncameron  
Prepared On: Mar-11-2024

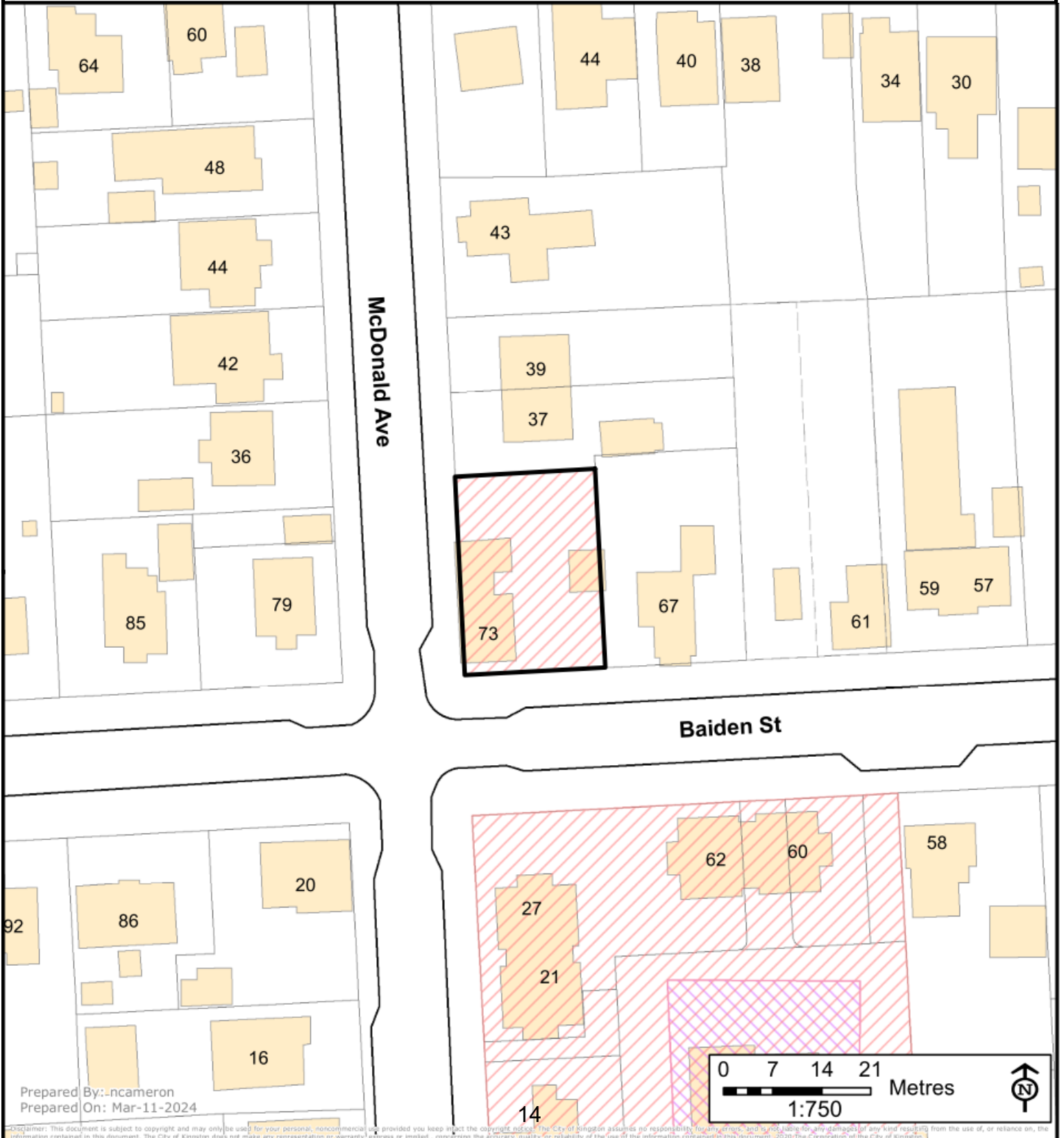




# Kingston Heritage Properties Committee City of Kingston Heritage Register

Address: 73 Baiden Street  
File Number: P18-019-2024  
Prepared On: Mar-11-2024

- Subject Lands
- Designated Property
- Easement



Prepared By: -ncameron  
Prepared On: Mar-11-2024



# Kingston Heritage Properties Committee Neighbourhood Context

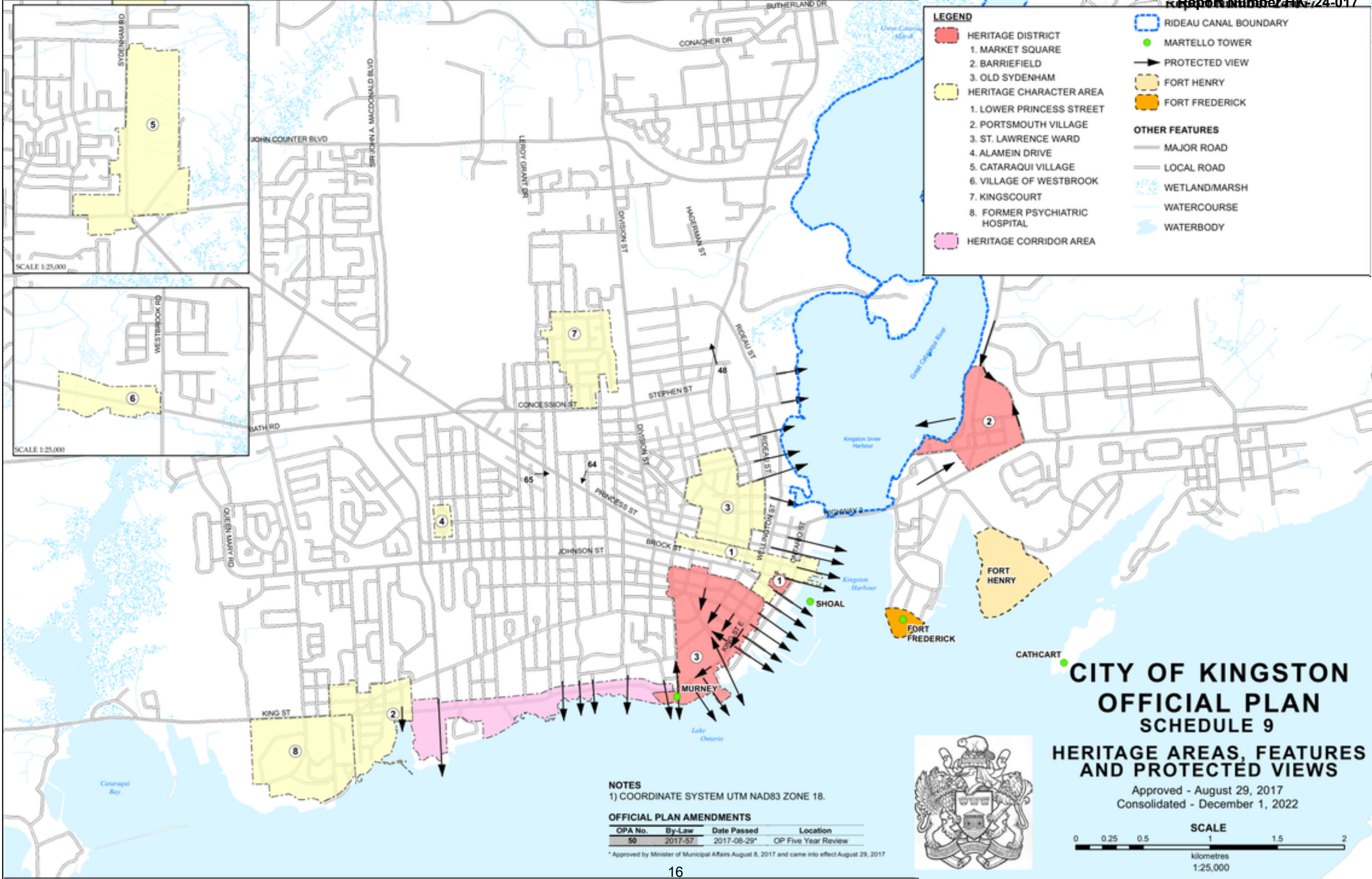
Address: 73 Baiden Street  
File Number: P18-019-2024  
Prepared On: Mar-11-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: ncameron  
Prepared On: Mar-11-2024

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**LEGEND**

- HERITAGE DISTRICT
  - 1. MARKET SQUARE
  - 2. BARRIEFIELD
  - 3. OLD SYDENHAM
- HERITAGE CHARACTER AREA
  - 1. LOWER PRINCESS STREET
  - 2. PORTSMOUTH VILLAGE
  - 3. ST. LAWRENCE WARD
  - 4. ALAMEIN DRIVE
  - 5. CATARAQUI VILLAGE
  - 6. VILLAGE OF WESTBROOK
  - 7. KINGSCOURT
  - 8. FORMER PSYCHIATRIC HOSPITAL
- HERITAGE CORRIDOR AREA
- RIDEAU CANAL BOUNDARY
- MARTELLO TOWER
- PROTECTED VIEW
- FORT HENRY
- FORT FREDERICK

**OTHER FEATURES**

- MAJOR ROAD
- LOCAL ROAD
- WETLAND/MARSH
- WATERCOURSE
- WATERBODY

SCALE 1:25,000

SCALE 1:25,000

**NOTES**  
1) COORDINATE SYSTEM UTM NAD83 ZONE 18.

**OFFICIAL PLAN AMENDMENTS**

| OPA No. | By-Law  | Date Passed | Location            |
|---------|---------|-------------|---------------------|
| 59      | 2017-57 | 2017-08-29* | OP Five Year Review |

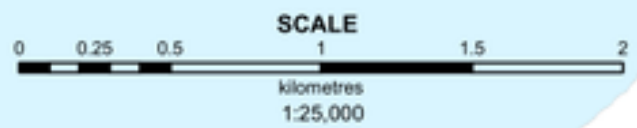
\* Approved by Minister of Municipal Affairs August 8, 2017 and came into effect August 29, 2017



**CITY OF KINGSTON  
OFFICIAL PLAN  
SCHEDULE 9**

**HERITAGE AREAS, FEATURES  
AND PROTECTED VIEWS**

Approved - August 29, 2017  
Consolidated - December 1, 2022



Clause 13, Report No. 89, 1977  
Clause 5, Report No. 72, 1978  
Clause 5, Report No. 83, 1978

BY-LAW NO. 9360A

A BY-LAW TO DESIGNATE CERTAIN PROPERTIES WITHIN THE MUNICIPALITY TO BE OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST

PASSED: October 10, 1978.

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

WHEREAS notice of intention to designate certain properties within the municipality was served on the owners of the properties and on The Ontario Heritage Foundation on the 19th of May, 1978 and was published in the Whig-Standard on May 19th, June 2nd and June 16th, 1978; and

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

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

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

- (1) 2 Alwington Avenue; ✓
- (2) 56 Alwington Avenue; ✓
- (3) 74 Alwington Avenue; ✓
- (4) 77 Alwington Avenue; ✓
- (5) St. John's Anglican Church, 51 Church Street; ✓
- (6) 73 Baiden Street; ✓
- (7) 51 Francis Street; ✓
- (8) Church of the Good Thief, 743 King Street West; ✓
- (9) Presbytery, 743 King Street West; ✓
- (10) Holiness Church, 716 King Street West; ✓
- (11) 738 King Street West; ✓
- (12) Newcourt, St. Lawrence College Grounds; ✓
- (13) 162 Mowat Avenue; ✓
- (14) Rectory, 176 Mowat Avenue; ✓
- (15) 579 Union Street; ✓

- 2 -

1. (cont'd)

- (16) The Water Tower, Sir John A. Macdonald Boulevard;
- (17) The Penitentiary Farm House, Sir John A. Macdonald Boulevard; ✓
- (18) The Coach House, 443 Union Street; ✓
- (19) Gardener's Building, 443 Union Street; ✓

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

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

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

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

GIVEN THREE READINGS AND FINALLY PASSED the 10th day of  
October , 1978.

  
DEPUTY CITY CLERK

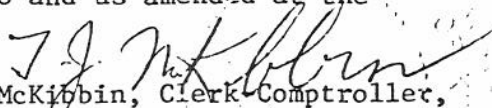
  
MAYOR

PAGE 6 OF SCHEDULE "A" TO BY-LAW NO. 9360A

73 BAIDEN STREET

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac, and being the South 93.49 feet of Lot 17 on the north east corner of Baiden and Macdonald Streets and being part of SE $\frac{1}{4}$  Farm Lot 18 in the First Concession of the Township of Kingston, Plan 54.

I HEREBY CERTIFY THAT the following is a true and correct copy of Clause 5a, Report No. 105 of the City of Kingston Planning Board, which was approved by Council at its Meeting Held on October 10, 1978 and as amended at the meeting of City Council held on October 23, 1978.

  
T.J. McKibbin, Clerk-Comptroller,  
Corporation of the City of Kingston.

Dated: November 2, 1978.

WHEREAS on September 12, 1977, Planning Board, upon the recommendation of the Local Architectural Conservation Advisory Committee, recommended that the following list of buildings be designated as buildings of historic or architectural value:

- 1) 2 Alwington Avenue
- 2) 56 Alwington Avenue
- 3) 74 Alwington Avenue
- 4) 77 Alwington Avenue
- 5) St. John's Anglican Church, 51 Church Street
- 6) 73 Baiden Street
- 7) 51 Francis Street
- 8) Church of the Good Thief, 734 King Street West
- 9) Presbytery, 743 King Street West
- 10) Holiness Church, 716 King Street West
- 11) 738 King Street West
- 12) Newcourt, St. Lawrence College Grounds
- 13) 162 Mowat Avenue
- 14) Rectory, 176 Mowat Avenue
- 15) 579 Union Street
- 16) The Water Tower, Sir John A. Macdonald Boulevard
- 17) The Penitentiary Farm House, Sir John A. Macdonald Boulevard
- 18) The Coach House, 443 Union Street
- 19) Gardener's Building, 443 Union Street

AND WHEREAS the City Solicitor has requested a resolution approving the reasons for designation:

THEREFORE BE IT RESOLVED that the foregoing list of buildings be designated as buildings of historic or architectural value for the reasons indicated on Schedule "A" attached hereto.



REASONS FOR DESIGNATION

2 ALWINGTON AVENUE - of architectural significance. This house, built c.1875 on an important corner, belonged at one time to the Penitentiary Service. The large inset chimneys, regularly spaced large windows and hipped roof porch give distinction to this limestone dwelling.

56 ALWINGTON AVENUE - of architectural significance. This charming cottage, built 1854-55 to the design of Sidney Scobell, is known as The Chimneys because of the unusual spiral stone chimneys on its broad hip roof. The large windows flank an entranceway with fanlight and side lights protected by a Regency style porch with fluted columns.

74 ALWINGTON AVENUE - of architectural significance. This 1860 cottage has had a number of large additions but the important architectural features of the facade, the windows and doorway have been retained and the scale of this stuccoed dwelling is pleasing.

77 ALWINGTON AVENUE - of architectural significance. This large late Victorian brick house is an excellent example of the non-symmetrical plan so popular in the later half of the nineteenth century. It is given added importance by its extensive landscaped grounds.

ST. JOHN'S ANGLICAN CHURCH - of historical and architectural significance. This Gothic style church built in 1849-50 to plans by William Coverdale, was supported in its early years by Kingston families who had large estates in the area.

73 BAIDEN STREET - of historical significance. This limestone house built c.1869 is a typical village dwelling of the period with the verge boards adding a decorative touch to an otherwise simple residence.

51 FRANCIS STREET - of historical significance. This two-storey limestone building is typical of the larger farm houses which once occupied the farm land north of Portsmouth Village. It is one of the few limestone houses in this area with bay windows.

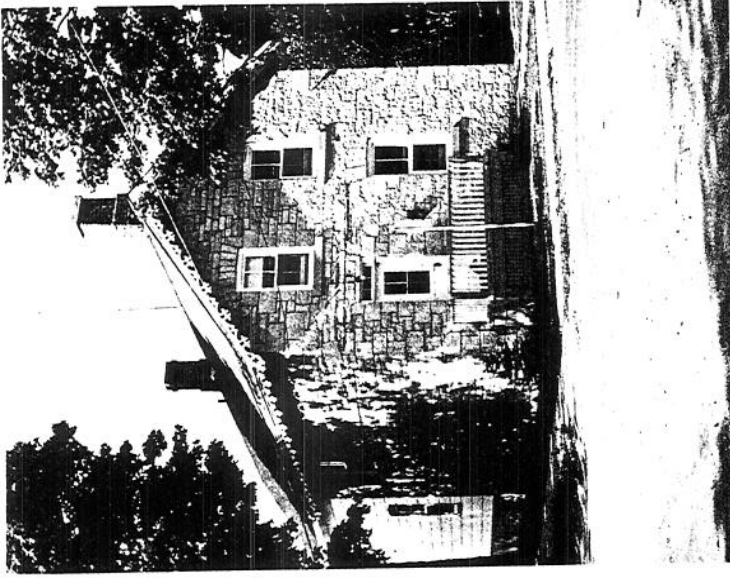
THE CHURCH OF THE GOOD THIEF, 743 KING ST. WEST - of architectural and historic significance. This church, although a mixture of styles, is the most dominant and most important visual aspect of Portsmouth. The limestone was quarried by prisoners and the church named after St. Dismas, the thief crucified with Christ. The large bell tower and the pattern of crosses on the sharply pitched roof are especially notable.

Description: This three bay, storey and a half house has board and batten siding. The house faces south. From the east wall it appears as if the building is a salt-box structure, but this is only because of a one-storey, two bay addition at the east end of the north wall; its roofline is just a continuation of the north slope of the main roof. On the west wall of this addition there is a small addition of horizontal sheathing.

The central doorway is enclosed by a boarded porch of vertical sheathing and its entranceway, as well as the entranceway into the house, has a square-headed transom.

Owner: Thomas Anderson

196



73 Baiden St.

73 Baiden Street

Built: c. 1869

Builder: unknown

Significance: This house does not appear on an 1869 map and the records regarding the lot are confusing. Thomas Evans is the first name identified as the owner - after 1875.

197

This limestone house is a typical village house of the late 1860's. The verge boards add a decorative touch to an otherwise simple residence. A two-storey addition was made to the rear in 1973.

Description: This two-storey house is made of hammer-dressed limestone and has a gable roof. It faces Baiden Street. The main entrance is to one side and has a later door which is half-glazed, and a simple light divided into three sections. One window is in the lower storey and there are two windows in the upper storey. All these windows are two on two and have voussoirs and grey painted ashlar sills. In the front, the stones are square rather than rectangular, and the arrangement of large and small stones suggests a stair-like pattern. Quoins are also suggested, front and rear. An enclosed porch, which dated from the 1920's has been removed and replaced by a simple open porch with a railing and balusters.

The sides and rear of the building are of smaller, rectangular, hammer-dressed limestone. There is a chimney at either end of the ridge pole, one being original, the other added at the time of the addition. Both are made of brick. On the west side there is a small opening at ground level, and another in the first storey towards the rear of the building. On the east, there is only a basement opening. A single window is in the first floor of the rear of the house.

The addition, partly new, replaces an original wooden kitchen wing and is built over the old stone foundation and over a new concrete block. The new section is made an extension of the back kitchen wing by a covering of white aluminum siding. Grey trim on the window mouldings has been used to visually join the old section with the new one.

To the east, a separation of the two building sections creates a small courtyard with an entranceway into the new section. The windows in the addition are, for the most part, double windows with glazing bars in the upper sections. In the back yard, to the east of the house, is a two-storey vertical batten outbuilding with a door and window. At one time it has been stained with barn green, which has weathered to a very mellow colour. The building is high and the gable roof is steep.

Owner: David and Nancy Helwig

Heritage Application Information

Planned renovations/restorations relevant to our Heritage Permit application are listed below with detail:

- 1. Completion of insulation and siding the 1960/70s addition
    - a. Material (already approved): [Maibec overlapping wood siding](#), cove profile
      - i. Colour: [Kendall Charcoal](#) – Benjamin Moore HC-116
- NB. We already own the siding required to complete the work



Left: East side of addition facing south showing colour and profile of new siding

Right: Main level of 'cut-out' showing existing siding

- 2. Restoration of two north facing heritage windows<sup>1</sup>
  - a. Lower (dining room) – 2/2 sash window and interior frame restored, exterior planned with mortar repair (using heritage (lime) mortal as per guidelines)
  - b. Upper (library) - complete restoration planned
  - c. Aluminum storms replaced with two new 2/2 storm windows will be built by Chris Chapman and glazed – traditional hardware will be used
  - d. Paint colour (windows and frames): [Cottage White](#)



Dining room  
Left: Interior (restored)

Right:



Library  
Exterior

<sup>1</sup> Please note, we have already successfully restored 5 heritage windows and frames including mortar repair

- 3. Repair of remaining section of decorative verge board and box soffits on limestone building and removal last section of verge board on 1960/70s addition (as per previous request from Heritage planning).
  - a. Paint colour: [Cottage White](#) to match all existing trim and verge board.



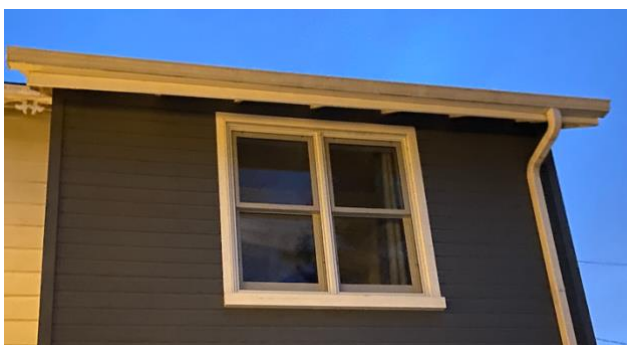
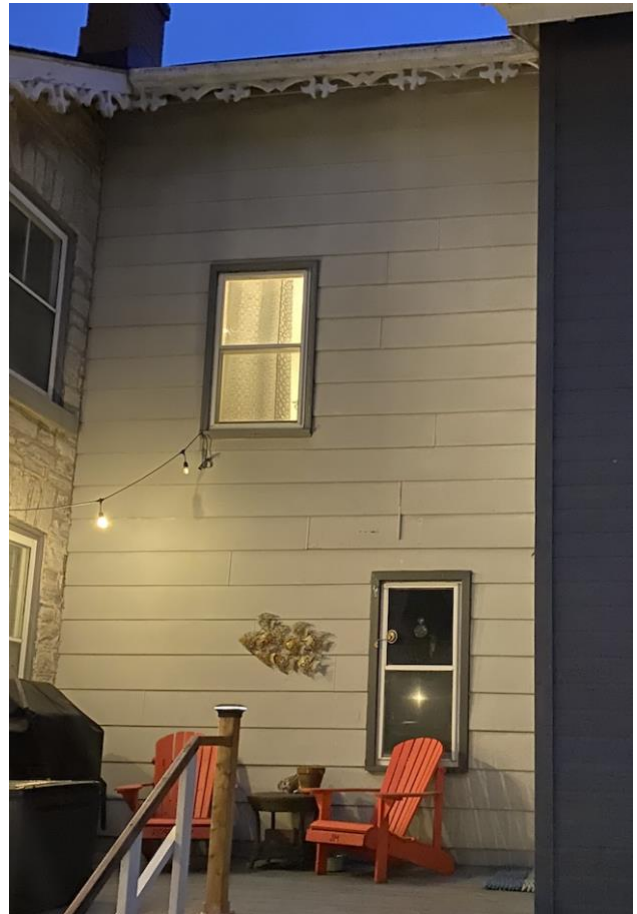
- 4. Replacement of 1960/70s addition bathroom and bedroom single windows
  - a. Window type: [Loewen aluminum clad wood](#) double hung sash, 1/1 style to match previously approved and replaced bedroom windows
  - b. Colour for windows and trim: Linen for windows, Cottage White for trim



Left: Bedroom window (facing south)

Right: Bathroom window (facing east, second floor)

NB: Both currently have poor quality aluminum storms



Left: East facing replaced bedroom window exterior for reference

Right: Interior for reference



5. Removal of east facing wall of kitchen (see drawings for location, size and beam detail). Replacement with centre-opening sliding glass doors with sidelights<sup>2</sup>.
  - a. Sliding door type: [Loewen](#) Aluminum Clad wood
  - b. Door and trim colour: Black for door, Cottage White for trim



Loewen door picture from website for reference.



Existing kitchen east facing wall where door will be located.

6. Removal of south facing addition 'back' door. Replaced by previously installed east facing door. Space will be filled in and sided as in #1 above.
7. Installation of 2 side by side 1/1 double-hung sash windows to match those installed in the bedroom (see photo above) in the south facing space as per drawings.



Addition back door and space for windows.

<sup>2</sup> We acknowledge the comments from the Heritage Committee re: use of French doors in this space but respectfully disagree. Our kitchen is very narrow with a passageway space directly inside the area connecting the main house to the back of the addition. We have selected a door solution that maximizes space in the kitchen and lets in maximal natural light.

8. Replacement and enlargement of existing deck (photos below) in 'cut-out' space with connection to entrance porch and stairs to new back door (see drawings for elevations and detail). Stairs to the yard will be included in the east facing side and a privacy screen will be included on the south/street facing side (we will seek Heritage approval for the design when we have plans for this). Railing and stairs as per code requirements<sup>3</sup>.
  - a. Material: Wood



---

<sup>3</sup> We acknowledge the comments in the previous Heritage Committee report about steps to a stone patio rather than a deck. We will eventually build a stone patio between the barn and the deck but wish to have deck space directly outside the kitchen to allow us to expand our usable dining space as weather allows.

73 Baiden Street  
Heritage Committee Information - Front Entrance Deck



Current deck is 14' wide by 4'4" feet deep. Railing was in serious disrepair so was temporarily replaced with that shown in the photo. Deck skirting is rotten and in need of replacement.

Proposed deck to extend 5'4" from the top platform across under the window to the far side of the concrete pad (19'4" total). Stair orientation to align with concrete path facing South to Baiden street.

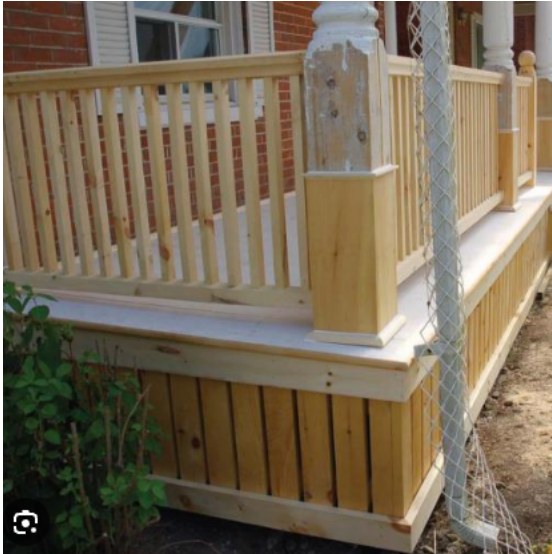
Advantage will be better access for our guests and window will be more visible and essentially highlighted by the stairs and railings.

Plan for design - we would seek Heritage advisement for appropriate trim for the skirting and railing.





Some examples under consideration





Measurement Result

5.37 Feet

Clear

Red Circle:  
Existing porch (not including stair) that is approximately 4.27 metres wide by 1.32 metres deep.



Red Line:  
Approximate area of new deck (not including stairs) is proposed to be 5.33 metres long



Blue Line:  
Approximate area of new stairs.



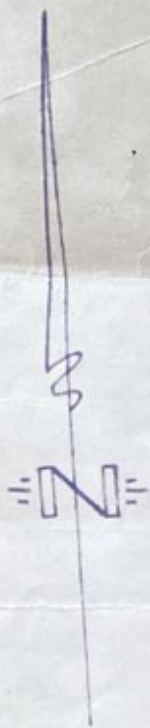
# PLAN OF SURVEY

## PART OF LOT 17

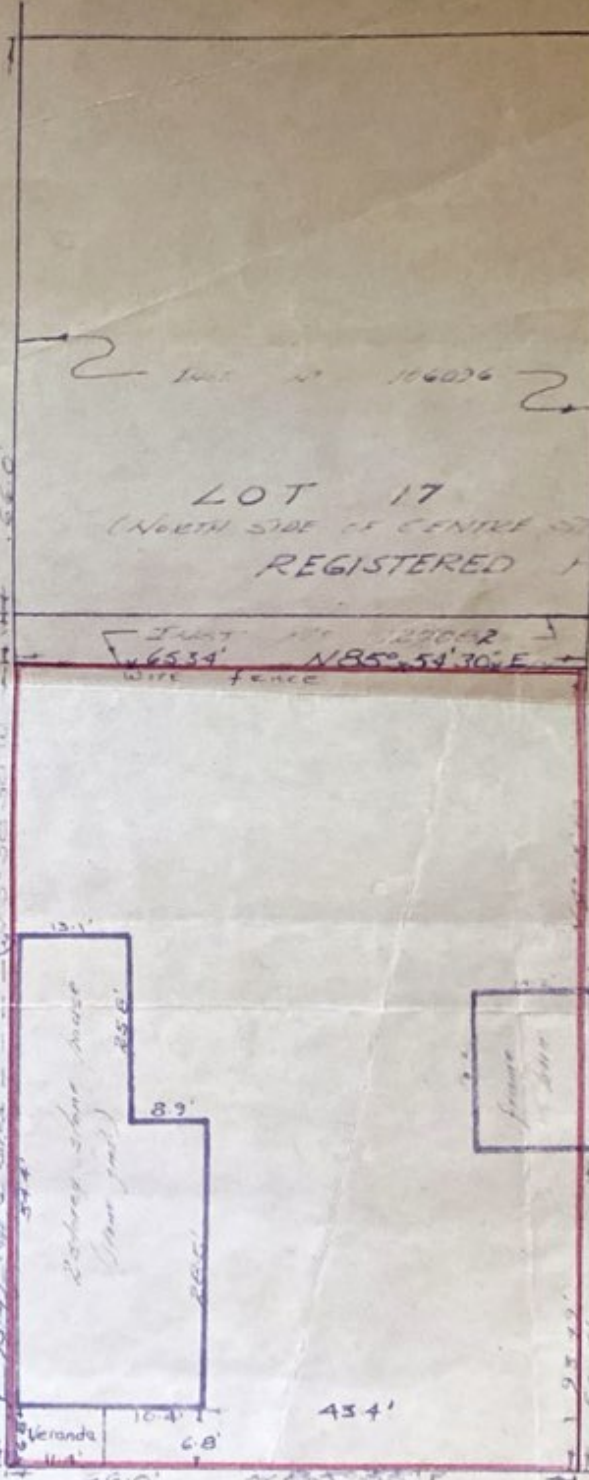
(NORTH SIDE OF CENTRE STREET NOW BAIDEN STREET)

REG'D PLAN NO.54

CITY OF  
KINGSTON



MACDONALD STREET



LOT 17 LOT 16  
(NORTH SIDE OF CENTRE STREET NOW BAIDEN STREET)  
REGISTERED PLAN NO 54

6534' N85°54'30"E  
Wire fence

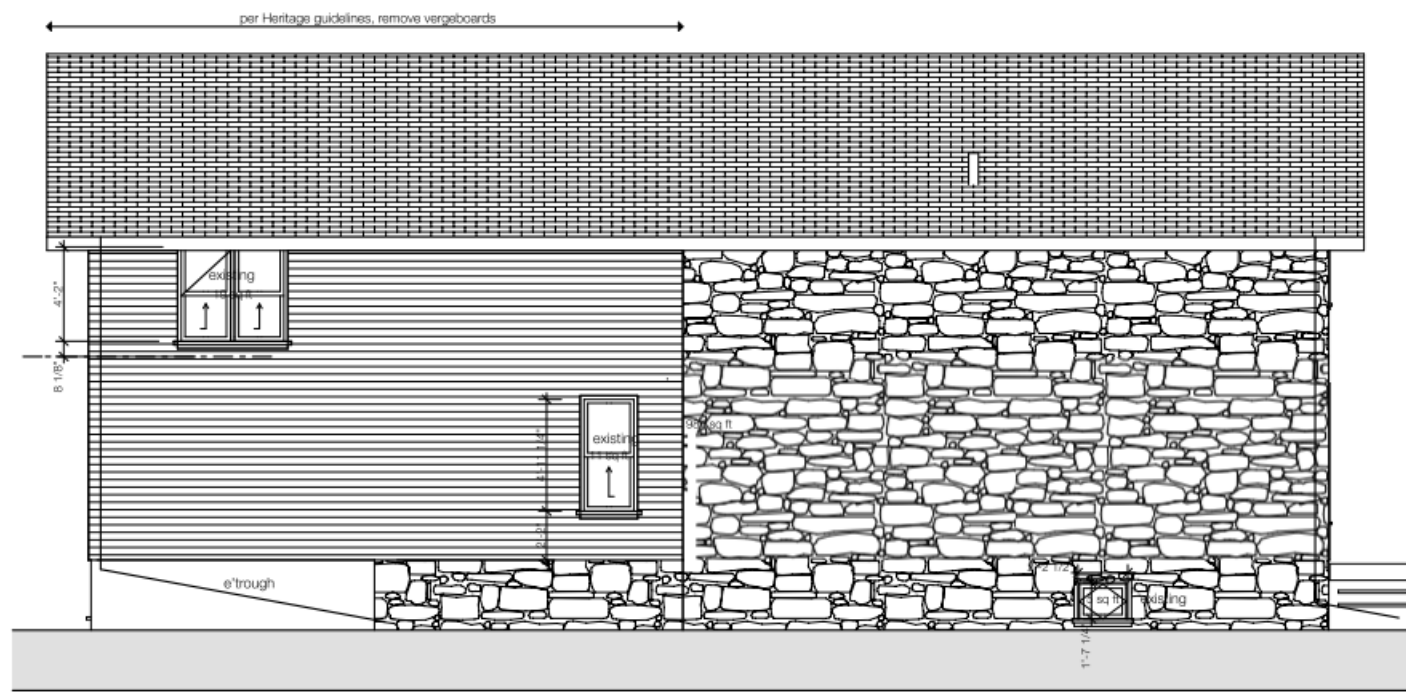
The following are the  
CLEARANCES AND SETBACKS  
for the purpose of a  
Mortgage Certificate

Setbacks shown here  
are assumed and are  
derived from the original  
Plan of Baiden Street  
as N.B.S. 256 257  
Registered Plan No 54



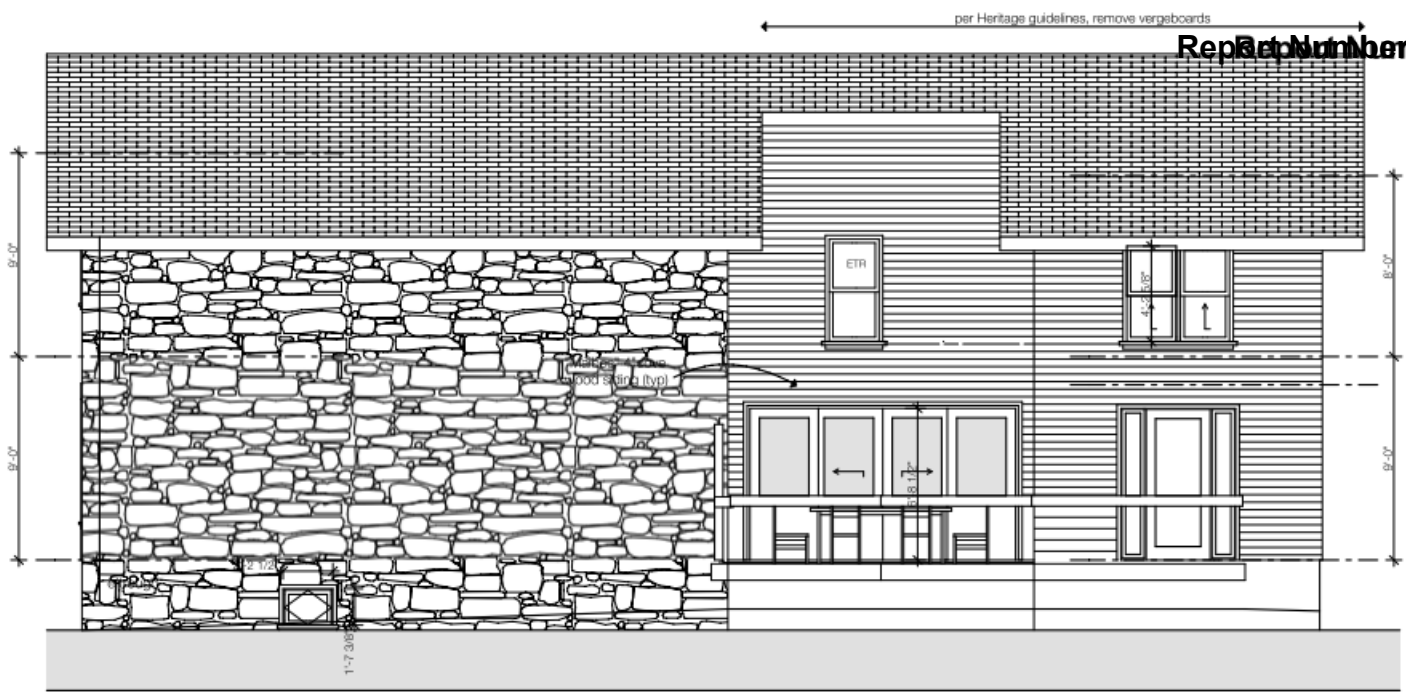
BAIDEN STREET



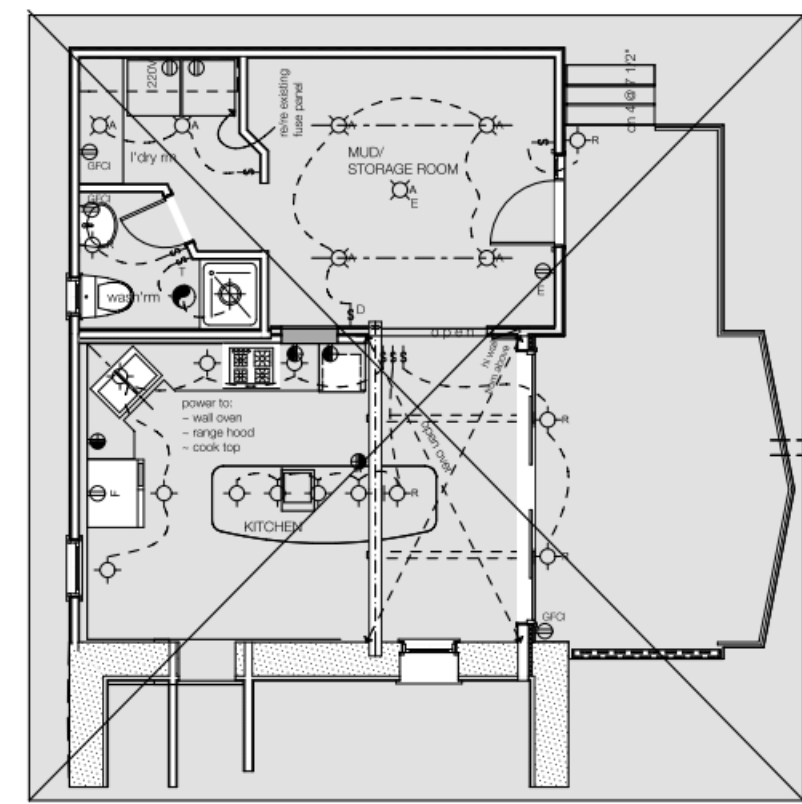


WEST ELEVATION  
(new powder rm window)

wall area, 984 sf (gr to crown)  
ext'g windows: 35sf (3.5%)  
proposed add'l: 4sf total window area, (3.9%)

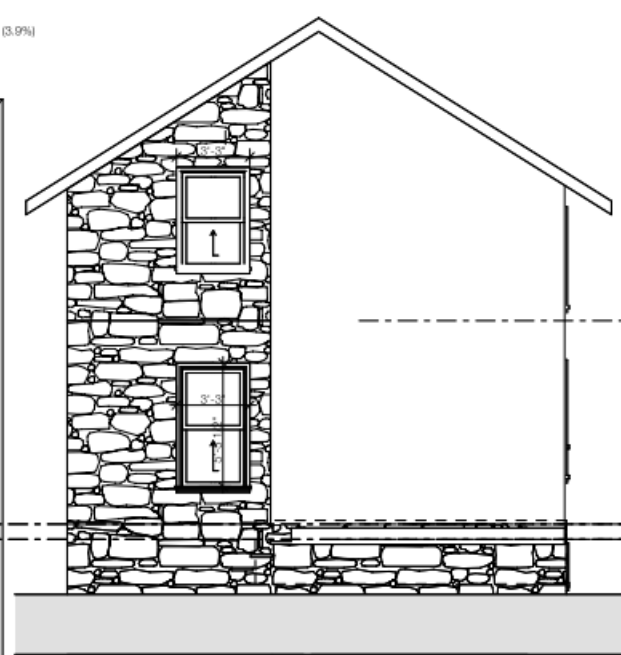


EAST ELEVATION  
6'8" patio door

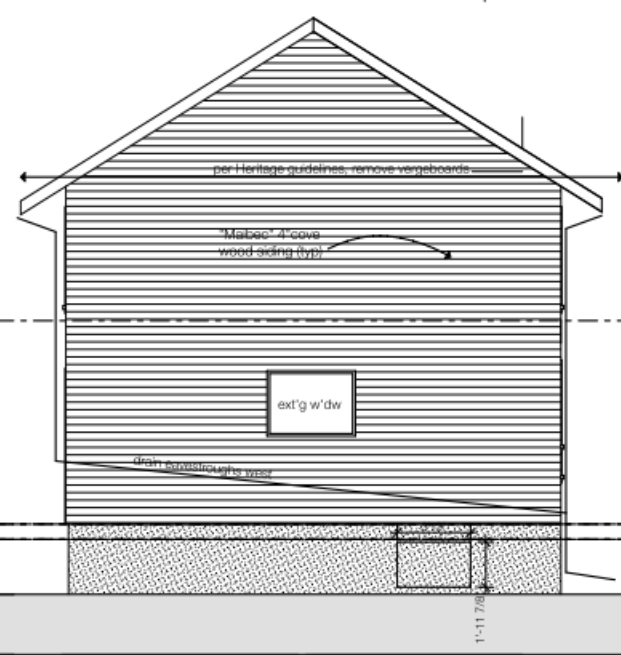


GROUND FLOOR ELECTRICAL

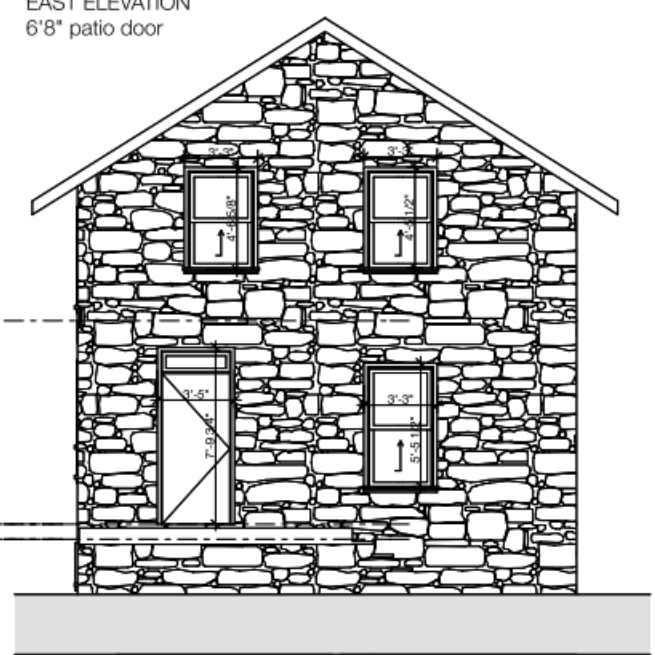
- ELECTRICAL LEGEND**
- 220V 220V duplex receptacle
  - 120V 120V duplex receptacle
  - duplex receptacle, GFCI
  - GFCI
  - split circuit receptacle
  - single pole switch
  - D = dimmer or variable
  - 2 way switch
  - 3 way switch
  - wall midt fixt
  - recessed pot light
  - waterproof recessed potlight
  - ceiling mounted light fixture
  - electrically interconnected smoke and/or co detector
  - exhaust fan



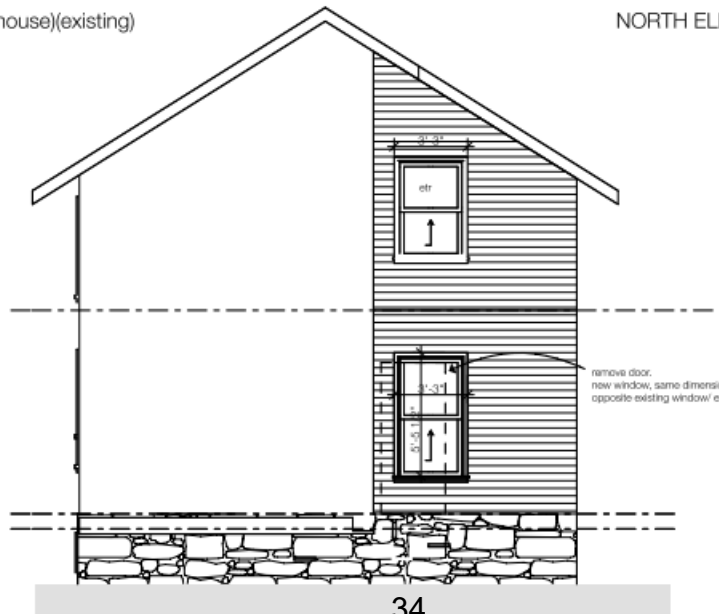
NORTH ELEVATION (orig house)(existing)



NORTH ELEVATION (existing)



SOUTH ELEVATION (existing)



SOUTH ELEVATION (60's add'n)(existing)

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Alterations to  
Wilson ~ Colquhoun Residence,  
73 Baiden St., Kingston, Ontario,

N. Peter Cohrs, M.A.A.T.O  
411 College Street,  
Kingston, Ontario, K7L 4M8  
(613) 217-2108  
pstudio@cohrs.ca

date 2024 Feb 26  
scale 1/4" = 1'0"/ 1" details  
drawn pc, maato  
issued for permit

PLANS,  
ELEVATIONS,  
SECTIONS,  
SPEC

Staff Site Visit (2-27-24) & Google Streetview Photo:







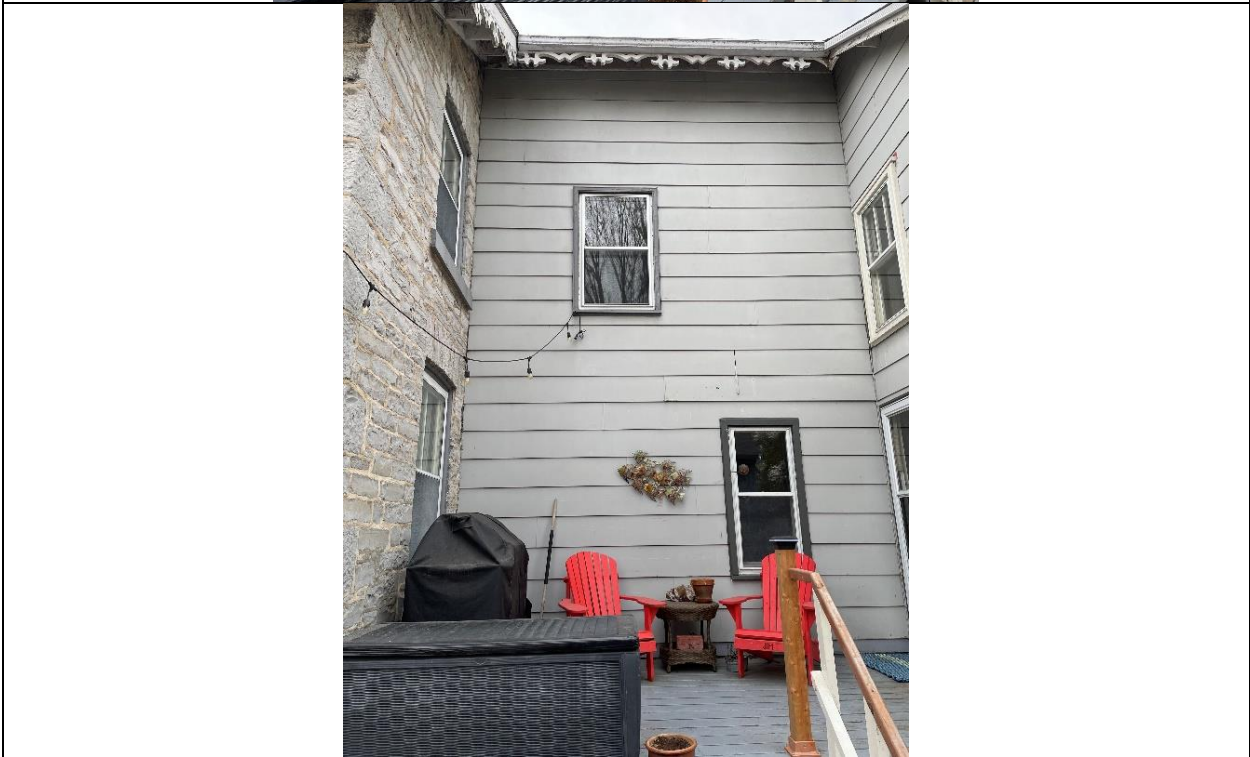


Image from Google Streetview – August 2021



# Kingston Heritage Properties Committee

## Summary of Input from Technical Review Process

**P18-019-2024**

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



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

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TTY: Dial 613-546-4889

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|                   |                                 |
|-------------------|---------------------------------|
| Date:             | March 11, 2024                  |
| Form:             | Heritage Kingston Reviewer Form |
| Reviewer Name:    | Jane McFarlane                  |
| Application Type: | Heritage Permit                 |
| File Number:      | P18-019-2024                    |
| Property Address: | 73 Baiden Street                |

---

Description of Proposal:

The proposal includes the repair/restoration of historic windows in alignment with the City's Window Policy, the repair/enlargement of the front (south facing) porch by approximately 1.1 metres with new railings and (potentially) a new design that will not include a roof (see description of work with examples and approximate plot plan), replacement of two existing windows on the 1970s addition on the eastern elevation (see bedroom floor plan), the replacement of an existing door with a window on the 1970s addition on the eastern elevation (see mudroom floor plan), replacement of an existing window with a sliding patio door on the 1970s addition on the eastern elevation (see kitchen floor plan), replacement of existing siding with Maibec overlapping wood siding on the 1970s addition on the eastern elevation (see alcove area), replacement of the existing side deck on the eastern elevation with a new deck with approximately three times the area (see deck drawing), and the installation of a wooden privacy fence abutting the new deck facing south.

Comments for Consideration on the Application:

The applicants are commended for the window restoration plans including the fabrication of heritage appropriate storm windows on the original building.

The proposed plans seem well thought out and are supportable.

If railings are required by code for the side (east) deck these should be simple in design so that they do not compete with the main entrance.

For the front porch, it is suggested that plain "square" wood balusters could be used on the railing for this "simple residence" and would be appropriate for the age of the original building.

Recommended Conditions for the Application:



**City of Kingston  
Report to Kingston Heritage Properties Committee  
Report Number HP-24-019**

---

**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:** April 17, 2024

**Subject:** Application for Ontario Heritage Act Approval

**Address:** 160 Bagot Street P18-1210

**File Number:** P18-015-2024

---

**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

The subject property at 160 Bagot Street is located midblock on the northwest side of Bagot Street, between Earl 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 construction under Section 42 of the *Ontario Heritage Act* (P18-015-2024) has been submitted to request approval to construct a two-and-a-half-storey rear addition, connected to the main dwelling by a one-storey mud room.

This application was deemed complete on March 8, 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 June 6, 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.

April 17, 2024

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**Recommendation:**

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

**That** the addition on the property at 160 Bagot Street, be approved in accordance with the details described in the application (File Number P18-015-2024), which was deemed complete on March 8, 2024, with said alterations to include:

1. The construction of a new two-and-a-half-storey addition to the rear of the dwelling, connected by a one-storey mud room;
2. The construction of a patio at the rear of the new addition; and

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

1. Details, including colour(s), materials and dimensions of windows, doors, cladding, trim, patio and roofing shall be submitted to Heritage Planning staff, prior to construction, for final review and approval;
2. The rear yard window and door, where the proposed mud room is, shall be retained;
3. An Encroachment Permit and/or Temporary Access Permit shall be obtained, where necessary;
4. A Building Permit and all *Planning Act* approvals shall be obtained, where necessary;
5. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the Heritage Permit sought by this application;
6. The combined sewers shall be replaced with separated storm and sanitary sewers, to the satisfaction of Utilities Kingston;
7. A downstream sewer assessment shall be completed to the satisfaction of Utilities Kingston;
8. If additional metering or service upgrade is required, a service request will be needed;
9. A grading plan shall be submitted and completed to the satisfaction of Engineering Services;
10. The applicant is responsible for obtaining all required approvals and costs associated with the relocation of existing utilities; and
11. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.

April 17, 2024

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**Authorizing Signatures:**

ORIGINAL SIGNED BY COMMISSIONER

Jennifer Campbell,  
**Commissioner, Community  
Services**

ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER

Lanie Hurdle, Chief  
**Administrative Officer**

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

|   |              |
|---|--------------|
| Paige Agnew, Commissioner, Growth and 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 |

April 17, 2024

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

The subject property, with the municipal address of 160 Bagot Street, is located midblock between Earl Street and William Street, on the northwest side of Bagot 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 storey, three bay, brick structure designated under Part V of the *Ontario Heritage Act*.

An application under Section 42 of the *Ontario Heritage Act* (File Number P18-015-2024) has been submitted to request approval to construct a rear yard, two and a half (2.5) storey addition, connected to the existing freestanding 4-unit dwelling via a one (1) storey mud room entry (Exhibit B – Cover Letter, Project Drawings and Details). The rear addition will be approximately 8 metres by 9.5 metres in size, approximately 1.8 metres will separate the rear addition from the existing dwelling and will include a secondary entrance at the rear of the existing dwelling where the addition is setback from the side walls. The rear addition will have a roof ridge equal to or lower than the existing main dwelling. The rear addition will be clad in brick and fiber cement clapboard and/or painted wood siding.

This application was deemed complete on March 8, 2024. The *Ontario Heritage Act* provides a maximum of 90 days for Council to render a decision on an application to alter a designated building under Section 42(4). This timeframe will expire on June 6, 2024.

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

**Reasons for Designation/Cultural Heritage Value**

The subject property is designated under Part V of the *Ontario Heritage Act* through the Old Sydenham Heritage Area Heritage Conservation District Plan (District Plan).

The Property Inventory Form from the District Plan states that:

*“The building is an unadorned three bay two storey brick structure laid up in stretcher bond on a hammer dressed limestone foundation which retains much of its original fabric. It has a parapeted side gable roof with the parapet supported by moulded cut stone corbels at the eaves. The window and door openings are all rectangular with complex voussoired flat arches at the first storey and simple voussoirs above. The windows have limestone sills. The windows appear to retain their original 4/4 double hung sash (suggesting a construction date no later than 1885). At some point iron tie rods have been inserted, apparently at the 2nd floor structure.*

*A row of buildings appears straddling the road frontage of Lots 6 and 7 in 1850 but seem unlikely to include the current structure. Again, there are depictions of structures on the property*



April 17, 2024

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*on the Innes 1865 and Brosius 1875 maps respectively but neither conforms to the current building's siting or footprint. However, the existing building is shown as a double house on the 1892 fire insurance plan and occupants are indicated in the 1889-90 Directory. Robert McCammon, a baker, who bought the property in 1875, is listed as living in one half, appropriate given that a one storey stone bakery is shown on fire insurance plans from 1892 through 1947 at the rear of the lot. The presence of this commercial operation in the 'backyard' may explain the lanes to either side of the building. The building would thus have been built between 1875 and 1889, but given the architectural detailing and McCammon's purchase date of 1875 it is likely built by 1880.*

*The building fits directly into the context of this block of relatively simple brick buildings in terms of its scale, features, distribution of openings and brick walling. It is noteworthy in being freestanding with unpaved lanes to either side."*

The property is considered Significant to the District. The District Plan Property Inventory Form can be found in Exhibit C.

### **Cultural Heritage Analysis:**

#### **Best Heritage Conservation Practices**

The application has been reviewed with attention to 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 11 (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- Standard 12 (Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada): Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.
- Principle 6 'Reversibility' (Eight Guiding Principles in the Conservation of Built Heritage Properties, Ministry of Heritage, Sport, Tourism and Culture Industries): Alterations should be able to be returned to original conditions. This conserves earlier building design and technique.

April 17, 2024

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- Principle 7 ‘Legibility’ (Eight Guiding Principles in the Conservation of Built Heritage Properties, Ministry of Heritage, Sport, Tourism and Culture Industries): New work should be distinguished from old.

### **Applicable Local Policy/Guidelines**

The assessment of this application is summarized below through references to the relevant sections of the District Plan.

The subject property is located within the Beyond Bagot sub-area of the Old Sydenham HCD on the northwest side of Bagot Street, midblock between Earl Street and William Street – with views of City Park. Building typology along Bagot Street, between William Street and Earl Street, is defined by brick terraces. While the subject property is a freestanding structure, the size, massing, brick construction and side-gabled design are sympathetic to the streetscape context.

Section 2.3.3 of the District Plan (Beyond Bagot) lists several heritage attributes of the area, including “views of City Park,” “rear lanes on some blocks, with outbuildings,” “irregular elongated blocks and lots,” and “street trees forming canopies along streets.” The Beyond Bagot area has a sloping topography and an angular street grid, which creates an area of irregular blocks. Many of the larger blocks are bisected by rear lanes which provide access to several “houses behind houses” in rear yards and lanes.

### **Summary of Project Proposal and Impact Analysis**

The property at 160 Bagot Street contributes to its setting and context of this area of Bagot Street. The property is notable within this portion of Old Sydenham HCD as it is a freestanding structure, located midblock, with lanes on either side of it. Staff visited the subject property on March 13, 2024.

This application proposes to construct a two and a half (2.5) storey rear yard addition. This new addition will be connected to the existing freestanding dwelling via a one (1) storey mud room entry way at the rear of the property. This entry way will be set back from the existing building walls, assisting in limiting the views of the addition, and will stay clear of any existing masonry openings and voussoirs. The applicant has also expressed to staff that the rear façade of the building, where the one-storey connection is to be constructed, may become a fire separation between units. As a condition of this application, the existing rear door and window shall be retained during construction and reinstalled; if they can not be reinstalled, then they shall be retained for future use.

Section 5.0 of the District Plan includes direction on alterations and additions in general and more specifically related to managing change to features such as roofs, windows, cladding and the design of additions. Section 5.2.1 states that “original elements such as windows, doors, porches and verandahs and their details should be retained and restored wherever possible,” and that one should “make changes reversible and as inconspicuous as possible.”

April 17, 2024

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Section 5.2.2 (Additions) and 5.4 (Additions to Heritage Properties) state that “additions should be complementary to the main building and clearly secondary,” that “additions should be located away from the main street façade, at the rear of the building, and not add to the width of the front of the building,” and that the use of offsets and reveals, where the addition connects to the existing dwelling, assists with distinguishing the new addition.

Furthermore, the District Plan states that “the height of the addition should be no more than that of the main building and, preferably, lower, in order to clearly distinguish it from the original building,” and “additions should avoid causing irreversible changes to the original building.”

The proposed addition will be located in the rear yard, away from the main façade along Bagot Street. There will be approximately 1.8 metres separating the rear addition from the existing dwelling and the walls of the addition will be setback, aiding in distinguishing it from the original building and ensuring that there is no added width to the main dwelling. The applicant has also demonstrated that the height of the new addition will not exceed the height of the main building, providing architectural plans that indicate the addition will maintain a new roof ridge “equal or lower than” the existing buildings (Exhibit B). The proposed one-storey mud room, connecting the addition to the main dwelling, will avoid the rear façade door, window and voussoir, to ensure that it can be reversed without damaging the existing features.

Section 5.3.3 (Cladding) states that “cladding that is part of a new addition should be distinct from the cladding of the existing building,” and that “acceptable cladding for a new addition includes: brick masonry; stone masonry; wood clapboard; fibre cement board with paint finish; stucco; wood shingles.” This application has proposed to use a combination of cladding, including brick, painted wood and/or fibre cement clapboard. Details of the material(s) and colour(s) of the cladding are required as a condition of approval.

### **Results of Impact Analysis:**

Staff have reviewed the application and assessed it in consideration of the description of heritage value in the District Plan, City of Kingston’s Official 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 proposal to construct a two-and-a-half-storey rear addition to create an additional residential unit, while ensuring that the existing building is not negatively affected, is supportable. Additionally, the rear yard addition proposal adheres to Sections 5.2.2, 5.3 and 5.4 of the District Plan and, due to the addition being located in the rear yard on a midblock property, and not adding to the width of the front façade, the proposal will have a neutral heritage impact on the District.

### **Previous Approvals**

Not applicable

April 17, 2024

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### Comments from Department and Agencies

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

#### Public Works:

PW has no objections. Snow storage location to avoid off street parking or have location off site to store. If a separate dwelling is being created a separate waste charge will apply if waste is picked up by the City of Kingston.

#### Engineering:

Please have the applicant provide a grading plan prepared by a qualified individual with sufficient existing and proposed grades so it can be confirmed that existing drainage patterns are not being impacted and that adjacent properties are not being adversely affected.

Based on available information it appears that there may be overhead utility wires that will have to be relocated, the applicant is responsible for obtaining all required approvals and costs associated with the relocation of existing utilities.

Please note that Development Engineering has no record of having reviewed a building permit for the removal of the accessory structure.

#### Storm Water Review:

Grading plan showing existing and proposed grades required to demonstrate no negative drainage impacts to neighbouring properties.

#### Utilities Kingston:

To service this location would require a Direct Connection\* to a combined sewer. Therefore, Utilities Kingston cannot recommend support of this application until such time as the combined sewers are replaced with separated storm and sanitary sewers, and a downstream sewer assessment to validate the capacity of the sanitary sewers is completed.

### 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 D.

### Conclusion

Staff recommends approval of application File Number (P18-015-2024), subject to the conditions outlined herein, as there are no objections from a built heritage perspective. There are however concerns that have been raised from other departments. These concerns have been noted above and a number of specific conditions have been included as part of this approval.

April 17, 2024

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**Existing Policy/By-Law:**

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

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

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

Old Sydenham Heritage Area Heritage Conservation District Plan

**Notice Provisions:**

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

**Contacts:**

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

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

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

**Exhibits Attached:**

Exhibit A Context Map and Site Photos

Exhibit B Cover Letter, Project Drawings and Details

Exhibit C Property Inventory Form

Exhibit D Correspondence Received from Heritage Properties Committee

Exhibit E Final Comments from Kingston Heritage Properties Committee January 24, 2024



# Kingston Heritage Properties Committee Neighbourhood Context

Address: 160 Bagot Street  
File Number: P18-015-2024  
Prepared On: Mar-11-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



Prepared By: mcameron  
Prepared On: Mar-11-2024

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Site Photos of 160 Bagot Street



Above: 160 Bagot Street.

Below (Left): Lane on the south side of property.

Below (Right): Lane on the north side of property. Note 160A located at rear of buildings.





Rear Yard of 160 Bagot Street.







Left: Rear yard door and window (right of door), where the proposed addition will be connected to the main dwelling via a one-storey mudroom.

Below: Looking towards the rear of 160 Bagot Street from Earl Street.



Above: Looking towards the rear of 160 Bagot Street from Lily Lane on Earl Street.

# 160 BAGOT STREET HERITAGE PERMIT PROPOSAL

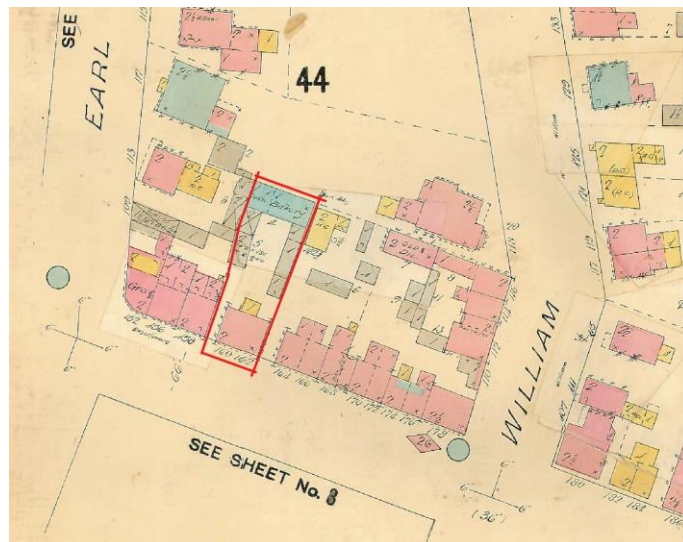


One Hundred Sixty Bagot is a freestanding three-bay two-storey brick structure that sits mid-block between William and Earl streets. According to the Old Sydenham HCD Property Inventory Evaluation “the building fits directly into the context of this block of relatively simple brick buildings in terms of its scale, features, distribution of openings and brick walling.” Currently the building is a walk up four-unit rental.

In January, the City of Kingston released a suite of proposed amendments to the official plan and zoning by-laws to better support the construction of more housing through various initiatives. One of the listed initiatives includes streamlining the approval process for multi-unit residential buildings along certain express transit routes. As this property is on a major transit route, and in consideration of the official plan, the owners propose a 2½-storey one-unit rear addition to the original structure, with a design complimentary to the district. The rear addition will house four bedrooms, kitchen, living, and dining areas, and 2½ bathrooms in a semi-autonomous structure.

A major design parameter is that the addition be clearly distinguishable from the existing structure while maintaining little presence from the Bagot Street viewshed. Six feet will separate the proposal from the existing building to allow for this and the continued use of existing rear windows for light, air flow and egress. The proposed building connection is a one-storey mud room entry, set back from the side walls and clear of any existing masonry openings and vousoirs. This will produce very little change to the existing rear façade with no adverse impact to architectural features. The height of the addition is to be lower than that of the main building.

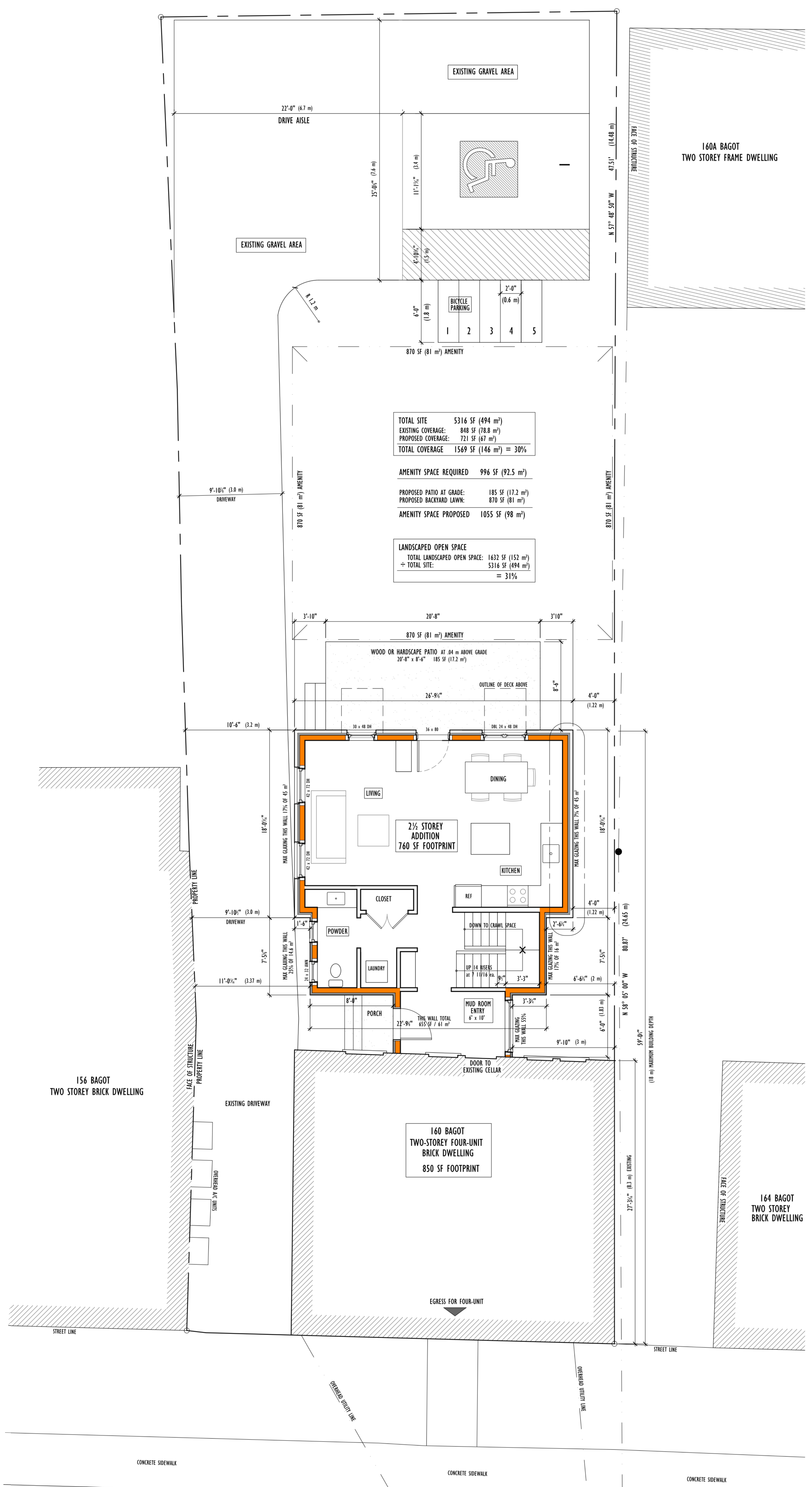
Architecturally, the addition meets planning setback, lot coverage, and open space requirements. The building code does stipulate exterior cladding and a portion of perimeter wall construction be noncombustible. Therefore, the main body of cladding is to be heritage brick. Insets and accents are to be clad in noncombustible siding. The main body brick cladding is not an attempt to copy the existing structure, rather it is a vernacular material, present in much of the district. Its use as well as the gabled roof forms of the addition are meant to highlight the detail and material of the area.



Precedent of Gabled Façade and Dormer Use in the District







|                              |                                     |
|------------------------------|-------------------------------------|
| TOTAL SITE                   | 5316 SF (494 m <sup>2</sup> )       |
| EXISTING COVERAGE:           | 848 SF (78.8 m <sup>2</sup> )       |
| PROPOSED COVERAGE:           | 721 SF (67 m <sup>2</sup> )         |
| TOTAL COVERAGE               | 1569 SF (146 m <sup>2</sup> ) = 30% |
|                              |                                     |
| AMENITY SPACE REQUIRED       | 996 SF (92.5 m <sup>2</sup> )       |
| PROPOSED PATIO AT GRADE:     | 185 SF (17.2 m <sup>2</sup> )       |
| PROPOSED BACKYARD LAWN:      | 870 SF (81 m <sup>2</sup> )         |
| AMENITY SPACE PROPOSED       | 1055 SF (98 m <sup>2</sup> )        |
|                              |                                     |
| LANDSCAPED OPEN SPACE        |                                     |
| TOTAL LANDSCAPED OPEN SPACE: | 1632 SF (152 m <sup>2</sup> )       |
| ÷ TOTAL SITE:                | 5316 SF (494 m <sup>2</sup> )       |
|                              | = 31%                               |

**SITE PLAN  
FIRST FLOOR PLAN**

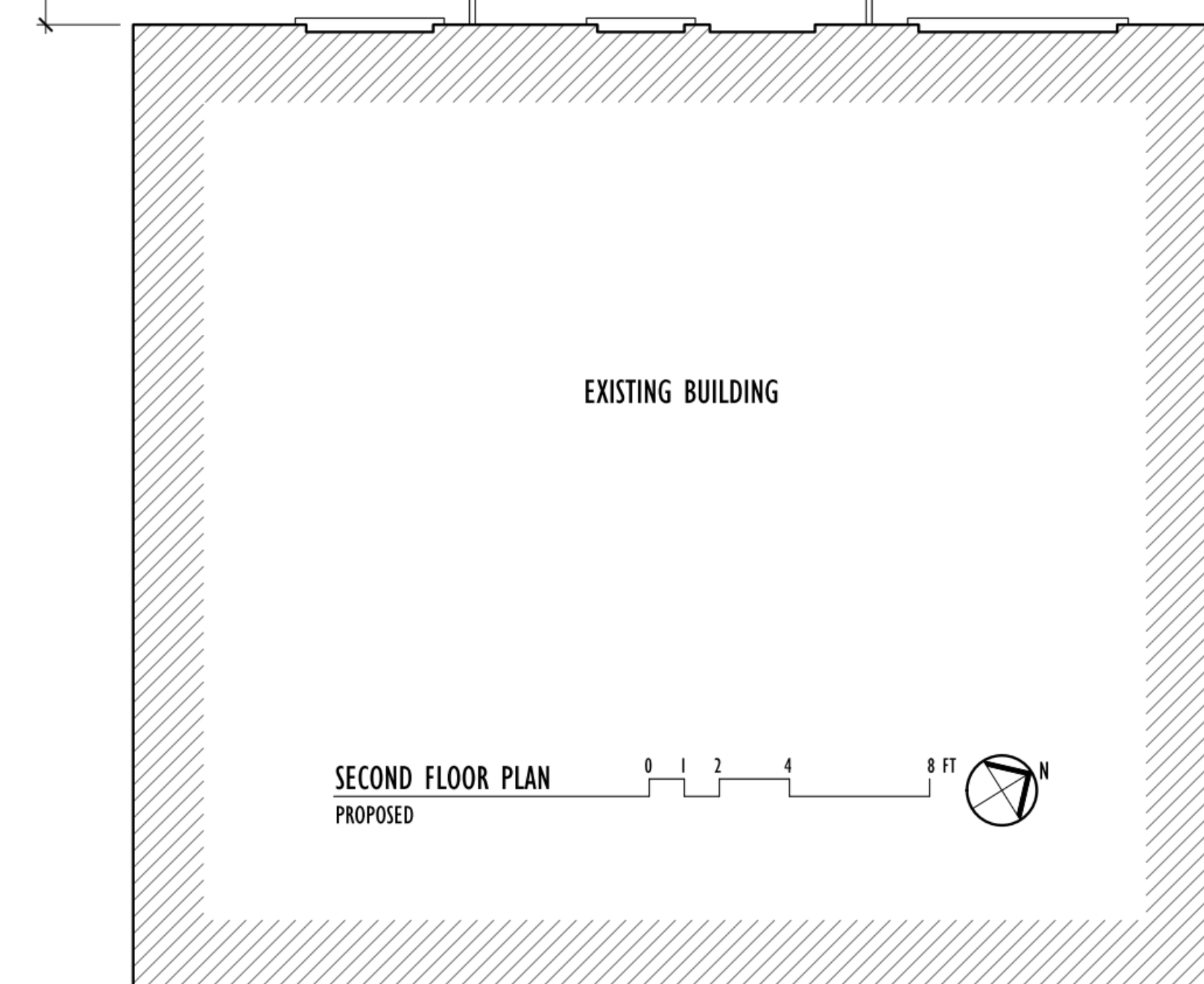
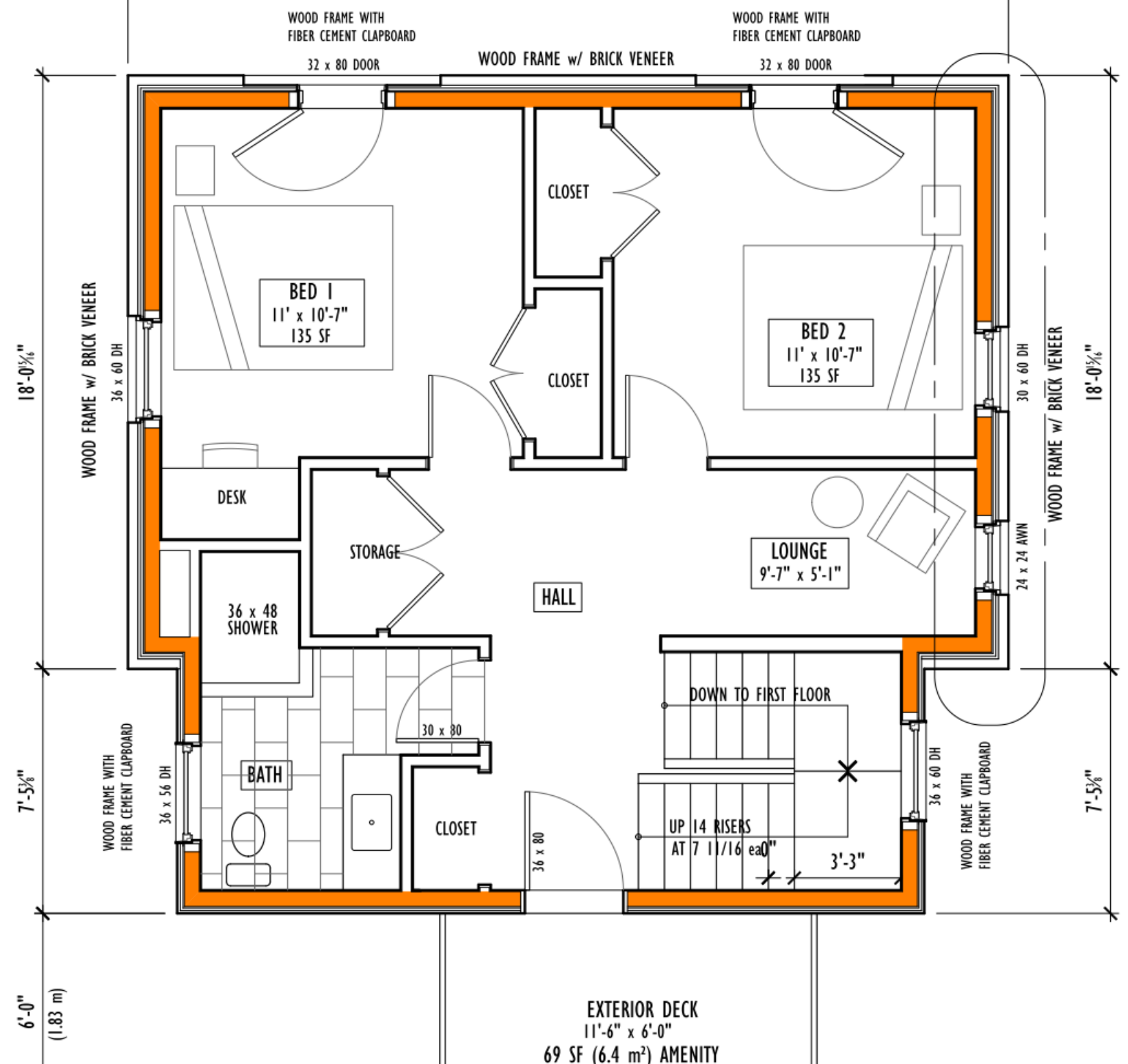


**MARK PEABODY**  
CUSTOM BUILDER  
DESIGN BUILD RENOVATE

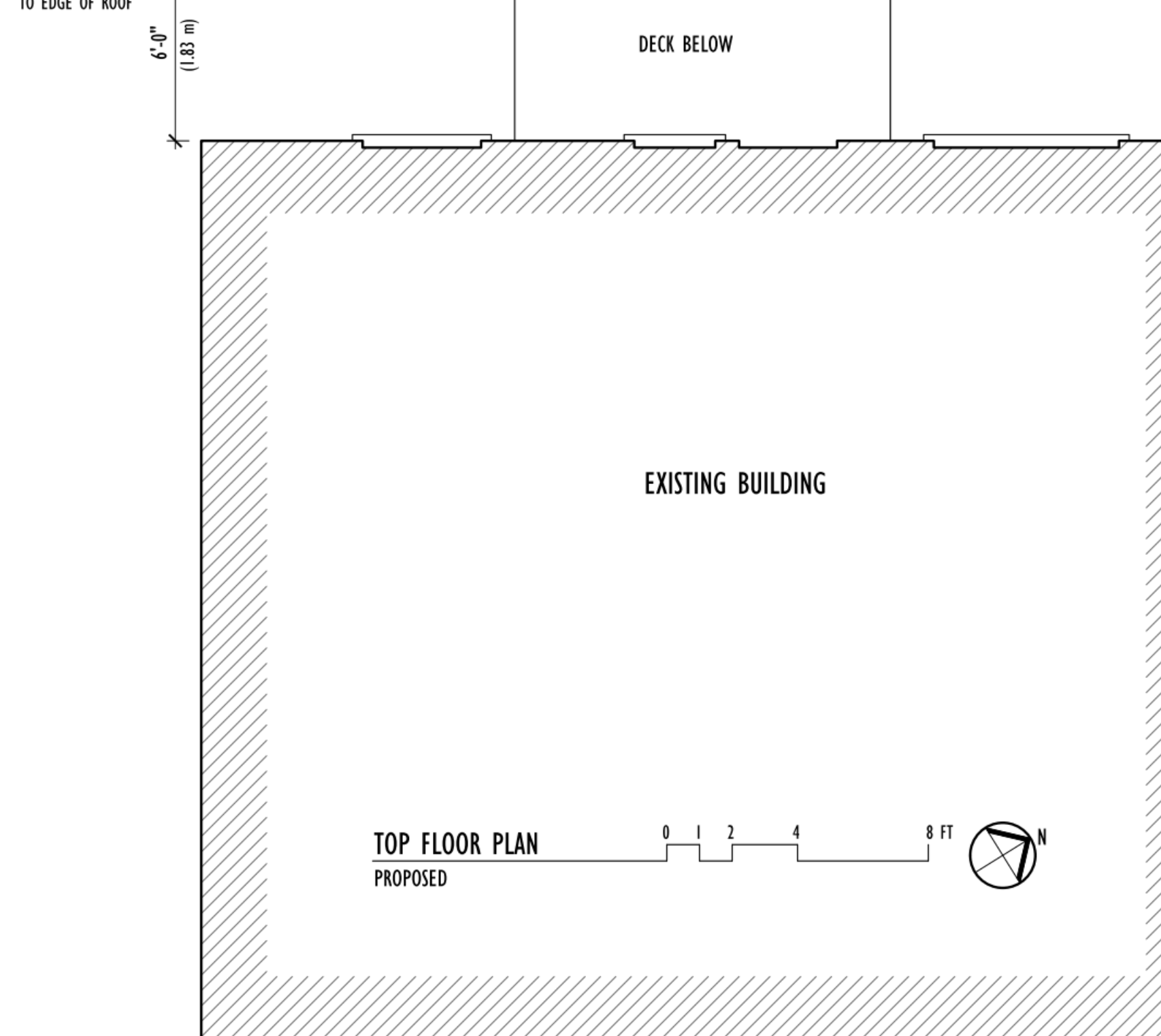
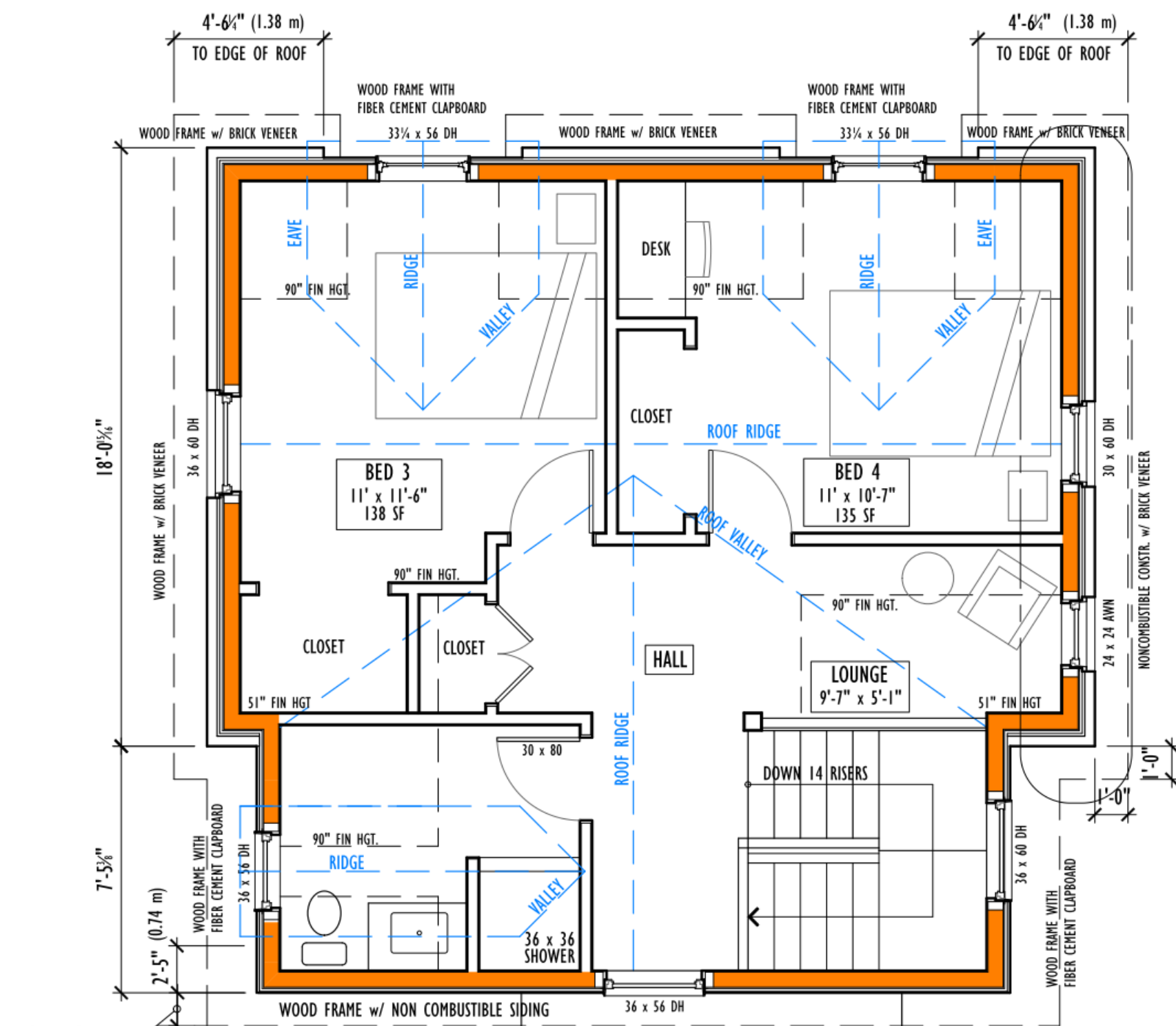
peabody@img.com  
413-541-2487

PLAN SET IS A REPRESENTATION OF THE PROPOSED BUILDING PROJECT, SUBJECT TO ALL APPLICABLE REGULATIONS AND PERMITS. ALL DIMENSIONS MUST BE TO BE CHECKED WITH THE PROJECT DESIGNER AND PROJECT DESIGNER AND PROJECT DESIGNER.

SITE PLAN  
FIRST FLOOR PLAN  
**A-101**



SECOND FLOOR PLAN  
PROPOSED



TOP FLOOR PLAN  
PROPOSED

|  |  |                     |
|--|--|---------------------|
| <p><b>MARK PEABODY</b><br/>CUSTOM BUILDER<br/>DESIGN BUILD<br/>RENOVATE</p> <p>peabody@kingston.net<br/>613-561-2687</p> | <p>PLANS ARE A REPRESENTATION OF THE PROPOSED BUILDING PROJECT. ALTHOUGH TO SCALE, DRAWINGS SHOULD NOT BE SCALED FOR CONSTRUCTION PURPOSES. WRITTEN DIMENSIONS SHALL ALWAYS TAKE PRECEDENCE. ALL DIMENSIONS MUST BE VERIFIED IN THE FIELD BY THE CONTRACTOR AND ANY VARIATION IS TO BE VERIFIED WITH THE PROJECT DESIGNER AND STRUCTURAL ENGINEER.</p> | <p>FLOOR PLANS</p>  |
|  |  | <p><b>A-102</b></p> |

160 BAGOT STREET  
ADDITION



156 BAGOT

STREET ELEVATION  
REAR ADDITION INVISIBLE

164 BAGOT



BAGOT STREET FRONTAGE FAÇADE SKETCH



BAGOT STREET FRONTAGE FAÇADE SKETCH

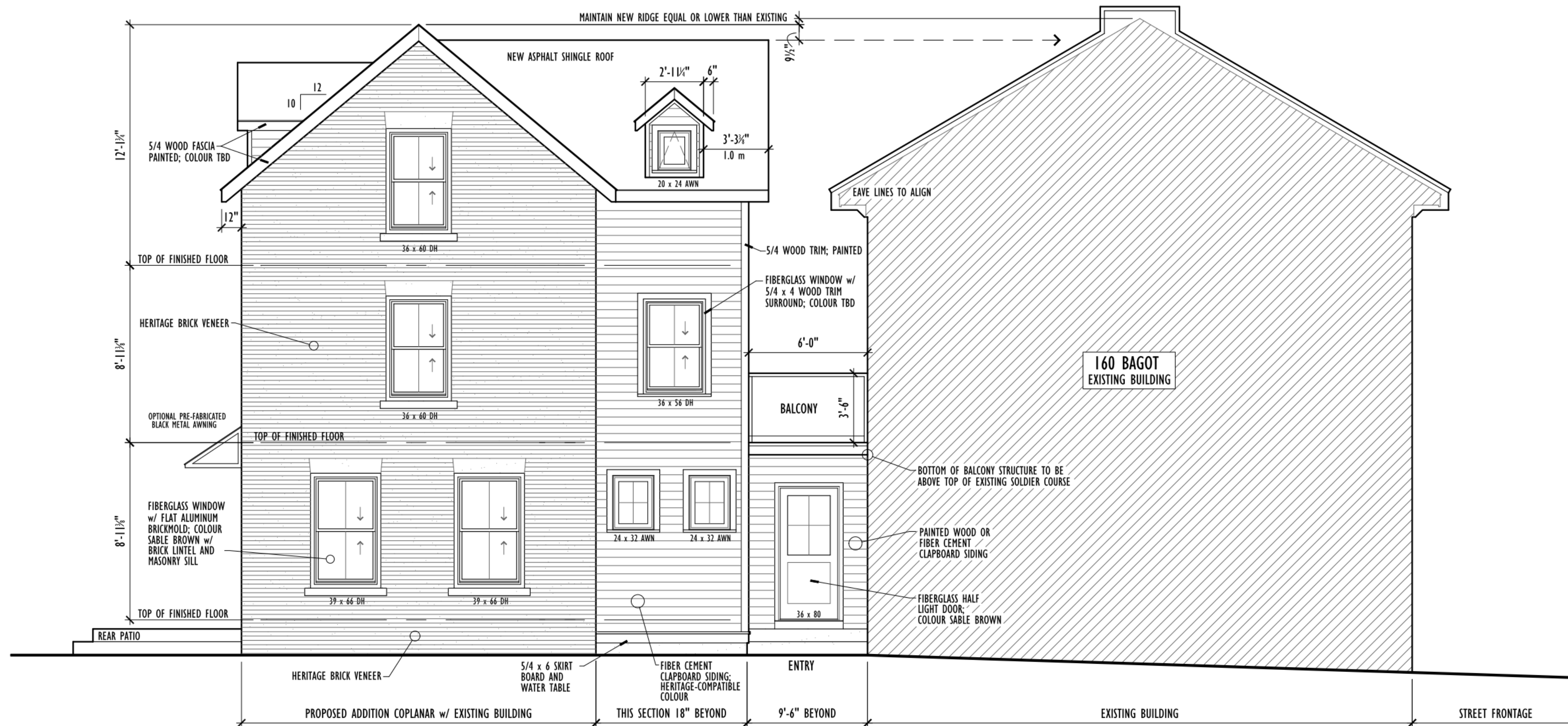
**MARK PEABODY**  
CUSTOM BUILDER  
DESIGN BUILD  
RENOVATE

peabody@kingston.net  
613-561-2687

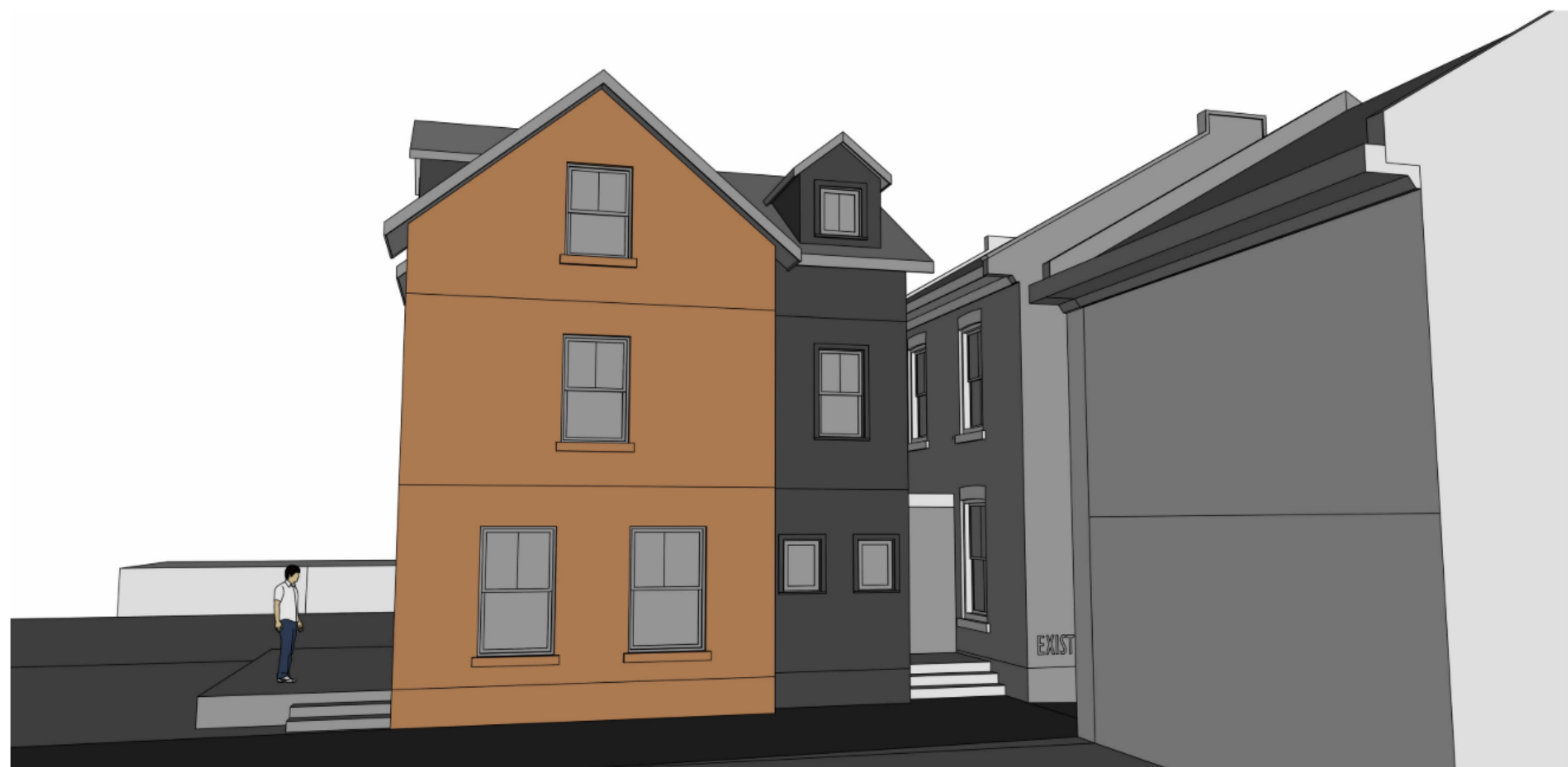
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160 BAGOT STREET  
ADDITION  
BUILDING ELEVATION  
**A-103**





**SOUTH ELEVATION**  
PROPOSED



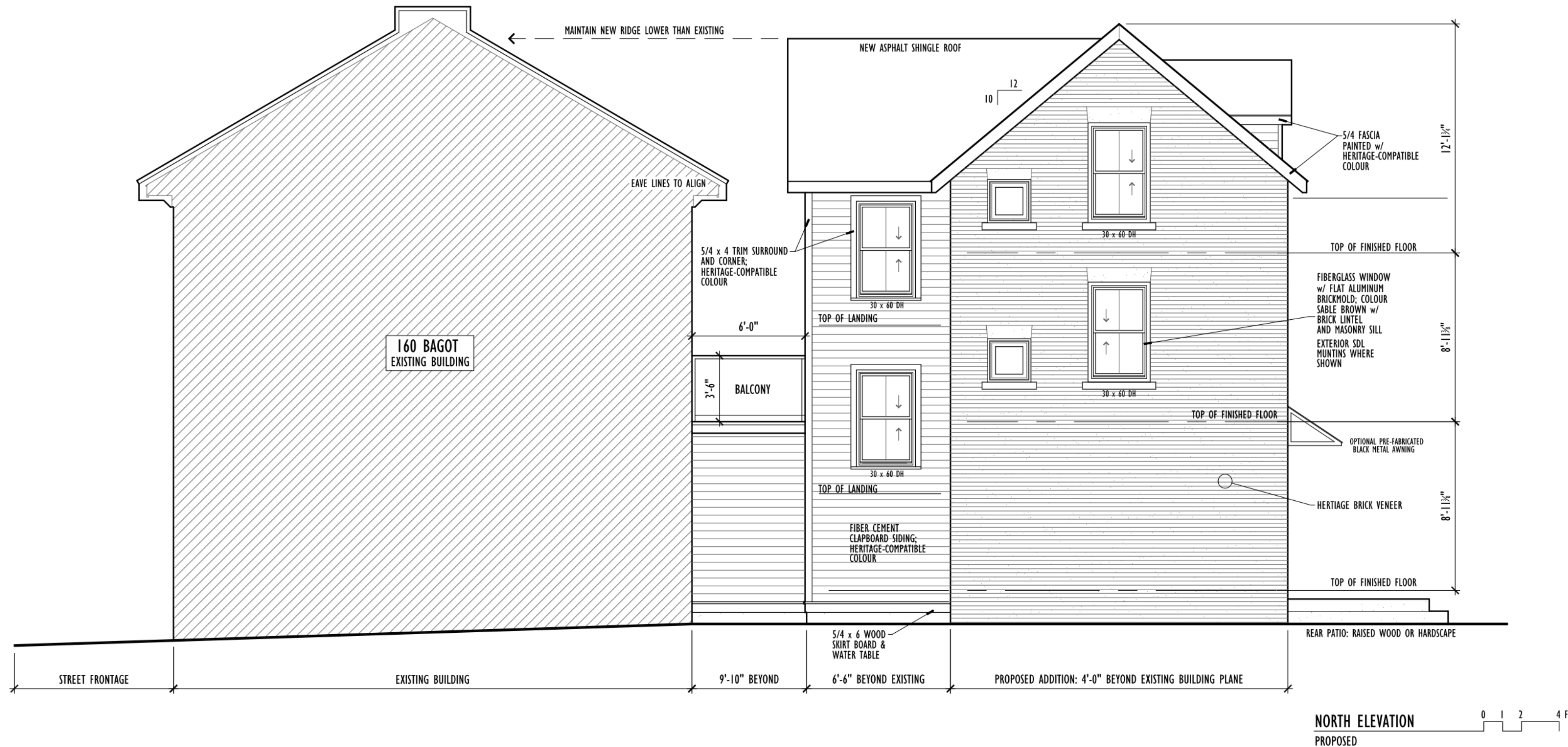
SIDE VIEW SKETCH

160 BAGOT STREET  
ADDITION  
BUILDING ELEVATION  
**A-104**

**MARK PEABODY**  
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DESIGN BUILD  
RENOVATE

peabody@kingston.net  
613-561-2687

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SIDE VIEW SKETCH

160 BAGOT STREET  
ADDITION

BUILDING ELEVATION  
A-105

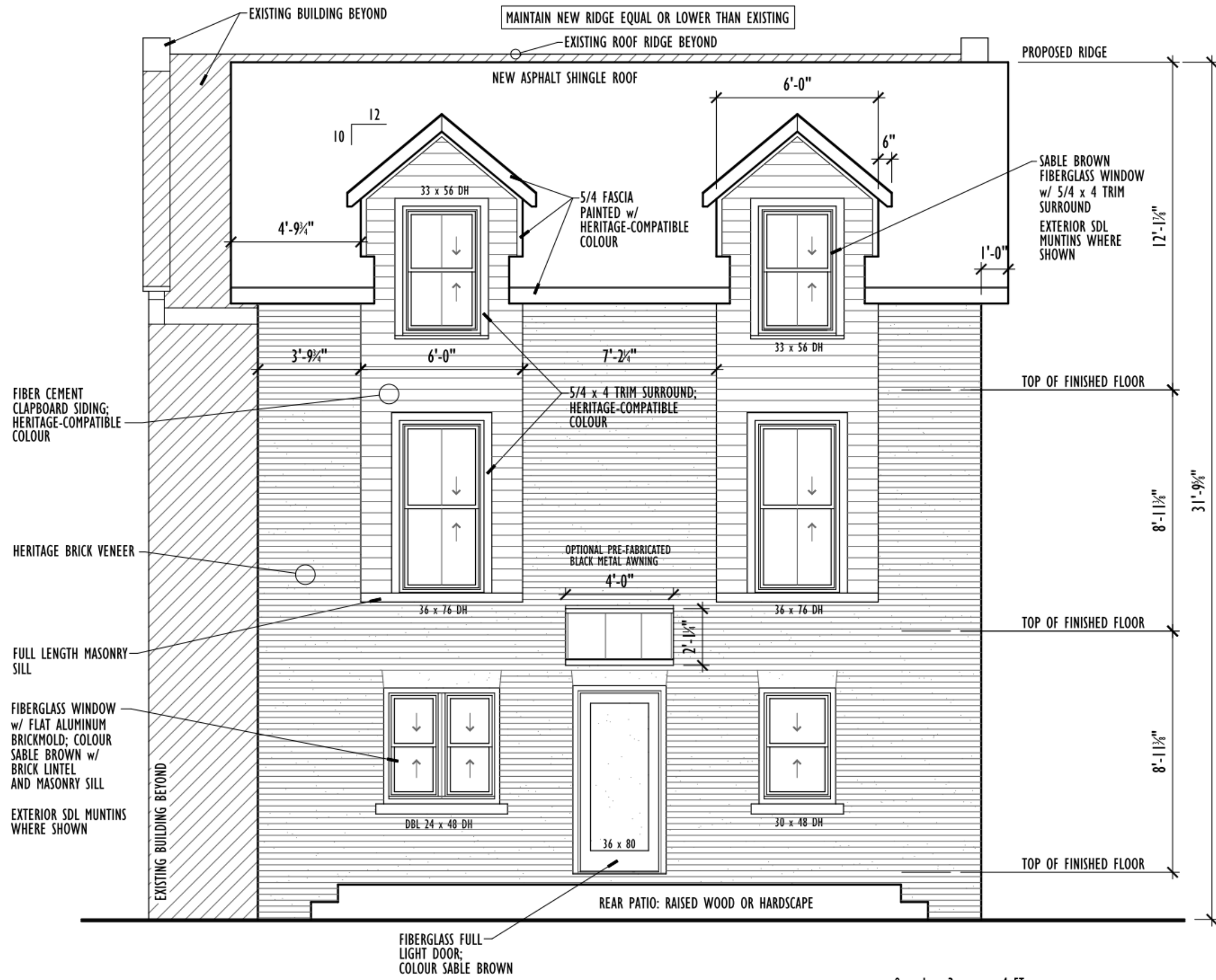
**MARK PEABODY**  
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REAR ELEVATION - EXISTING BUILDING 0 1 2 4 FT



REAR ELEVATION OF ADDITION OVERLAY 0 1 2 4 FT

160 BAGOT STREET  
ADDITION

|  |   |  |
|--|---|--|
| <p><b>MARK PEABODY</b><br/>CUSTOM BUILDER<br/>DESIGN BUILD<br/>RENOVATE</p> <p>peabody@kingston.net<br/>613-561-2687</p> | <p>PLANS ARE A REPRESENTATION OF THE PROPOSED BUILDING PROJECT. ALTHOUGH TO SCALE, DRAWINGS SHOULD NOT BE SCALED FOR CONSTRUCTION PURPOSES. WRITTEN DIMENSIONS SHALL ALWAYS TAKE PRECEDENCE. ALL DIMENSIONS MUST BE VERIFIED IN THE FIELD BY THE CONSTRUCTOR AND ANY VARIATION IS TO BE VERIFIED WITH THE PROJECT DESIGNER AND STRUCTURAL ENGINEER.</p> | <p>BUILDING ELEVATION<br/><b>A-106</b></p> |
|  | <p>63</p>   |  |

**160 BAGOT STREET****Built: by 1892****Rating: S**

The building is an unadorned three bay two storey brick structure laid up in stretcher bond on a hammer dressed limestone foundation which retains much of its original fabric. It has a parapeted side gable roof with the parapet supported by moulded cut stone corbels at the eaves. The window and door openings are all rectangular with complex voussoired flat arches at the first storey and simple voussoirs above. The windows have limestone sills. The windows appear to retain their original 4/4 double hung sash (suggesting a construction date no later than 1885). At some point iron tie rods have been inserted, apparently at the 2<sup>nd</sup> floor structure.

A row of buildings appears straddling the road frontage of Lots 6 and 7 in 1850 but seem unlikely to include the current structure. Again there are depictions of structures on the property on the Innes 1865 and Brosius 1875 maps respectively but neither conforms to the current building's siting or footprint. However the existing building is shown as a double house on the 1892 fire insurance plan and occupants are indicated in the 1889-90 Directory. Robert McCammon, a baker, who bought the property in 1875, is listed as living in one half, appropriate given that a one storey stone bakery is shown on fire insurance plans from 1892 through 1947 at the rear of the lot. The presence of this commercial operation in the 'backyard' may explain the lanes to either side of the building. The building would thus have been built between 1875 and 1889, but given the architectural detailing and McCammon's purchase date of 1875 it is likely built by 1880.

The building fits directly into the context of this block of relatively simple brick buildings in terms of its scale, features, distribution of openings and brick walling. It is noteworthy in being freestanding with unpaved lanes to either side.\*

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

## Kingston Heritage Properties Committee

### Summary of Input from Technical Review Process

P18-015-2024

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



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

**Exhibit D**  
**Report Number HP-24-019**

Website: [www.cityofkingston.ca](http://www.cityofkingston.ca)  
TTY: Dial 613-546-4889

---

|                   |   |
|-------------------|---|
| Date:             | March 07, 2024                              |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Peter Gower                                 |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-015-2024</a>                |
| Property Address: | 160 BAGOT ST                                |

---

### **Description of Proposal:**

The subject property is designated under Part V of the Ontario Heritage Act and is included in the Old Sydenham Heritage Conservation District. The application is seeking Heritage Act approval to construct a rear yard, two and a half (2.5) storey addition, connected to the existing freestanding 4-unit dwelling via a one (1) storey mudroom entry, set back and clear of any existing masonry openings and voussoirs. This rear wall may become a fire separation between units. However, every effort to retain the existing rear façade window and door will be made. There is a proposed rear yard patio, the rear patio material is yet to be specified. It will either be a hardscape or raised wood dependent upon finished height above grade. Furthermore, there will be rear yard parking spaces (including 1 accessible parking space), and bicycle parking. Both rear addition roof ridgelines will not exceed that of the main building. The siding is to be non-combustible fiber cement clapboard, 5" exposure, and painted a colour compatible with the heritage character of the district, as well as a red brick siding. The applicant has uploaded additional documents to the DASH application, including an updated site plan and a project cover letter.

### **Comments for Consideration on the Application:**

I have no concerns with this application.

### **Recommended Conditions for the Application:**

Heritage department to have final say over all exterior colours. Highest point of addition must be less than the roof line of the existing hoise.



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216 Ontario Street  
Kingston, Ontario  
Canada, K7L 2Z3

Website: [www.cityofkingston.ca](http://www.cityofkingston.ca)  
TTY: Dial 613-546-4889

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|                   |   |
|-------------------|---|
| Date:             | March 14, 2024                              |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Jane McFarlane                              |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-015-2024</a>                |
| Property Address: | 160 BAGOT ST                                |

---

### **Description of Proposal:**

The subject property is designated under Part V of the Ontario Heritage Act and is included in the Old Sydenham Heritage Conservation District. The application is seeking Heritage Act approval to construct a rear yard, two and a half (2.5) storey addition, connected to the existing freestanding 4-unit dwelling via a one (1) storey mudroom entry, set back and clear of any existing masonry openings and voussoirs. This rear wall may become a fire separation between units. However, every effort to retain the existing rear façade window and door will be made. There is a proposed rear yard patio, the rear patio material is yet to be specified. It will either be a hardscape or raised wood dependent upon finished height above grade. Furthermore, there will be rear yard parking spaces (including 1 accessible parking space), and bicycle parking. Both rear addition roof ridgelines will not exceed that of the main building. The siding is to be non-combustible fiber cement clapboard, 5" exposure, and painted a colour compatible with the heritage character of the district, as well as a red brick siding. The applicant has uploaded additional documents to the DASH application, including an updated site plan and a project cover letter.

### **Comments for Consideration on the Application:**

Given that this proposal is adding a secondary unit to a building in the Old Sydenham HCD, it seems adhere to guidelines, to be heritage appropriate, impacting only lightly on the original building and could be reversable in future. Plain, regular brick that is sympathetic to the main building is recommended. Installing permeable hardscaping, if used, for the rear patio to enhance water absorption and reduce run-off in the rear area is suggested.

### **Recommended Conditions for the Application:**

If the rear window and door of the original house cannot be retained in situ, they should be retained for future use. Staff should review the final choice of brick and siding for compatibility.

**Summary of Final Comments at the April 17, 2024 Heritage Properties Committee Meeting**

[To be added following the meeting.]





**City of Kingston**  
**Report to Kingston Heritage Properties Committee**  
**Report Number HP-24-020**

---

**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:** April 17, 2024

**Subject:** Application for Ontario Heritage Act Approval

**Address:** 158 Earl Street (P18-634)

**File Number:** P18-014-2024

---

**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

The subject property at 158 Earl Street is located on the south side of Earl Street, just east of West Street. The property is designated under both Parts IV and V of the *Ontario Heritage Act*, as part of the Old Sydenham Heritage Conservation District.

An application for alteration under Section 42 of the *Ontario Heritage Act* (P18-014-2024) has been submitted to request approval to install a rear shed dormer and replace a series of windows on the front and rear elevations. The front dormers are also proposed to be clad in cedar shingles and a new "coach light" is proposed adjacent to the main front door. Detailed plans and a cover letter, prepared by Mac Gervan & Assoc., have been submitted in support of this application.

This application was deemed complete on March 13, 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 June 11, 2024.

April 17, 2024

Page 2 of 11

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

**Recommendation:**

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

**That** the alterations at 158 Earl Street, be approved in accordance with the details described in the application (File Number P18-014-2024), which was deemed complete on March 13, 2024, with said application to include the following:

1. The construction of a new shed dormer to the rear roof pitch;
2. The replacement/repair of all windows, using metal-clad wooden windows in a period appropriate style and pattern, where necessary;
3. The recladding of the shed dormers on the front roof pitch with wooden shingles; and
4. The installation of new exterior light adjacent to the main front door; and

**That** the approval of the application be subject to the following conditions:

5. A Building Permit(s) shall be obtained, as necessary;
6. Heritage Planning staff shall be circulated the drawings and design specifications tied to the Building Permit application for review and approval to ensure consistency with the scope of the heritage permit sought by this application;
7. Details, including colour(s) of the new windows, wall cladding, roofing, rain gear and lighting shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure they complement the heritage character and attributes of the district;
8. All window works shall be completed in accordance with the City's Policy on Window Renovations in Heritage Buildings;
9. The owners are encouraged to retain and repair, or salvage and donate, any heritage-contributing wooden window noted in the application;
10. The owners are encouraged to retain and incorporate, or salvage and donate, the existing stained-glass transom window in the design of the new front window;
11. Any works that interface with the masonry of the building shall be completed in accordance with the City's Policy on Masonry Restoration in Heritage Buildings;
12. All *Planning Act* applications, including minor variance, shall be completed, as necessary; and
13. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.



April 17, 2024

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

The subject property is the easternmost unit in a three-unit, two-and-a-half storey, brick rowhouse known as the Mozart Terrace. It is located on the south side of Earl Street, just east of West Street (Exhibit A – Context Map). The property is designated under both Parts IV and V of the *Ontario Heritage Act* (Exhibit B – Property Inventory Evaluation).

An application under Section 42 of the *Ontario Heritage Act* (P18-014-2024) has been submitted to request approval to a series of alterations, including:

- The installation of a rear shed dormer with three sash windows (metal-clad wooden units). The dormer will face south and be clad in a pre-finished wood siding in a green tone. Its flat roof will be clad in a dark bituminous membrane;
- A series of window replacements on the front and rear elevations are also proposed. This includes eight (8) windows on the rear elevation and one on the front. The new units will be a metal-clad wooden sash windows, white coloured, in a three-over-three glazing pattern from Marvin;
- The existing second and third floor windows on the front elevation are proposed to be retained and repaired as needed;
- The front dormers are to be reclad in cedar shingles; and
- A new "coach light" is proposed adjacent to the main front door.

Detailed plans and a cover letter, prepared by Mac Gervan & Assoc., have been submitted in support of this application (Exhibit C – Concept Plans).

The submission materials in their entirety 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.

This application was deemed complete on March 13, 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 June 11, 2024.

**Reasons for Designation/Cultural Heritage Value**

The property was designated under Part IV of the *Ontario Heritage Act* in 1993 through By-Law Number 93-42. The property is also included in the Old Sydenham Heritage Conservation District created pursuant to Part V of the *Ontario Heritage Act* in 2015. The Property Inventory Evaluation rates the property as Significant to the District. The Inventory notes the following:

This brick row of three dwellings, built for William Burrowes in 1867 was called Mozart Terrace ... The three dwellings in this brick terrace each has a window in the first bay and an entrance in the second. ... The first floor windows have segmental arches and transoms; on the

April 17, 2024

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second floor they are flat-arched. Each dwelling has two gable-roofed dormers on the front slope of the roof.”

The Property Inventory Evaluation and designation by-law have been included as Exhibit B.

### **Cultural Heritage Analysis**

The Mozart Terrace is a contributing and important property of the streetscape along this portion of Earl Street and includes a prominent corner feature at West Street. Its cultural heritage value is recognized as part of the Old Sydenham Heritage Conservation District (HCD) and under Part IV of the *Ontario Heritage Act*.

Staff visited the subject property on March 11, 2024. This application includes a proposal to alter the existing dwelling in order to increase the living space for the new owners. The most significant alteration is the proposal of a shed dormer on the rear pitch of the roof. The assessment of this application is summarized below through references to the relevant sections of the Old Sydenham Heritage Area HCD Plan (District Plan).

### **Applicable Local Policy/Guidelines**

Section 2.2 District Plan provides a Statement of Cultural Heritage Value or Interest for the entire district. This includes a value statement as well as a list of heritage attributes, which are those physical components of the District that express its cultural heritage value, these include: “Varied ages, styles and types of buildings...; A compact scale comprised of street width, building height (approximately 2-3 storeys) and setbacks.” Additionally, Section 2.3 of the Plan provides a description of the sub-areas and their heritage attributes. This proposal is located in the ‘Beyond Bagot’ sub-area and its attributes are described in Section 2.3.3, which include: “A wide range of building types, materials and ages;” and “prominent buildings on street corners.” The subject property contributes to these attributes, making it a culturally important part of the District.

Section 2.5 (Designation Goals and Objectives) of the District Plan speaks to the goals and objectives for the District as a whole, as well as Heritage Buildings, Landscapes and Streetscapes, and Land Use. This application supports the goals as presented in the District Plan, specifically “Supporting and encouraging the conservation and continuing use of the district’s heritage attributes, rather than demolition and replacement” (2.5.1); “Conserving heritage buildings or structures by using the accepted principles and standards for heritage conservation, as outlined in this Plan; and Encouraging retention and restoration of original features of heritage buildings, base on archival and pictorial evidence...” (2.5.2); and “Preserving the existing pattern of blocks, streets and lanes” (2.5.3); and “Encouraging alterations and new infill that is compatible with the arrangement, scale, architectural style and materials that constitute the district’s heritage character.” (2.5.4).

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## Summary of Project Proposal and Impact Analysis

Section 4.0 of the District Plan establishes a policy framework related to Building Conservation, including direction on Roofs (4.3.1), Exterior Walls (4.3.2), and Windows and Doors (4.3.5). While Section 5.0 of the HCD Plan provides policies and guidelines related to Building Alterations and Additions.

### Window Works

The owners intend to repair the second and third floor windows on the main (northern) elevation and replace those on the rear (southern) elevation. The existing windows are a mix of ages and styles, and while it is unclear whether any are original to the building, some are noted as being period appropriate wooden units. Section 4.3.5 of the District Plan directs that all window works be undertaken in accordance with the City's Policy on Window Renovations in Heritage Buildings. Section 5.3.2 encourages one to "make efforts to recondition, repair and/or rebuild existing heritage-contributing windows before replacing them."

The windows on the rear elevation were assessed by both heritage architect Mac Gervan and heritage consultant Alexandra Rowse-Thompson. It was noted in the submission (Exhibit C) that the rear elevations include a variety of both period windows and modern replacement units from several eras. While most of the wooden windows are noted as being "in repairable condition," Ms. Rowse-Thompson concludes in her opinion letter that "given the variety of styles and eras and their location on the rear in a heritage conservation district, I think it is a reasonable approach to replace them with new aluminum clad period appropriate windows." It is important to note that none of the windows on the rear elevation are noted as significant to the heritage value of the property or district, and while some of the windows on the rear elevations are older wooden units, only window number 8 on the rear wing (a vinyl replacement unit) is visible from West Street. The proposal to unify the style and design of the windows is a supportable approach; however, a condition of approval has been included to encourage the owners to repair, wherever possible, or salvage and donate any noted heritage-contributing window, in order to avoid their unnecessary replacement and the disposal of a viable wooden window.

The current main floor window on the front elevation (noted as Window 1 on Exhibit C) includes a stained-glass transom. It is suggested that the stained-glass window is likely a later addition, but possibly as early as the turn of the 20<sup>th</sup> century. The main floor windows on this row-house are a mix of styles; however, all the main floor windows at 162 Earl Street (the corner unit) include leaded-glass transoms. The interior photographs provided in the submission clearly indicate that this window has been altered; however, the stained-glass transom is not out of place on this row. The District Plan (4.3.5) encourages the retention and repair of original stained-glass windows. While it is unclear if this is an original window, its presence helps unify the row. Staff encourage the retention of the stained-glass transom window in the design of the proposed window alteration or, if not desirable, the salvaging and donation of the window.

Section 5.3.2 provides further guidance on window alterations and directs that replacement windows can be metal-clad wood and should be designed to match the style and size of the

April 17, 2024

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original windows with muntins applied to the exterior of the glass. The proposed metal-clad wooden replacement windows from Marvin will be designed in a period appropriate 3 over 3 pattern, with muntins on the exterior of the glass, and will fit the existing openings. Details related to their profiles and colours will be reviewed by staff as a condition of approval.

### **Dormer**

As noted, Section 5.0 includes direction on alterations and additions in general, and more specifically related to managing changes to features such as roofs, windows, cladding and the design of additions. The HCD Plan directs one to consider five questions when designing and evaluating a proposed alteration:

1. In what way will the proposed alterations affect the overall character of the streetscape of the District?
2. Could the alterations find ways to enhance the heritage character of the District?
3. What will the impacts to the property's heritage attributes be?
4. Can these impacts be minimized through design?
5. If this alteration were commonly applied throughout the District would the cumulative impact be acceptable?

The most extensive change to this property requiring consideration of impacts to the HCD is the proposed alteration to the roof with the addition of a new shed dormer. Section 5.3.1 provides direction regarding roof alterations on heritage buildings and notes that "roof profiles visible from the street should remain unaltered."

The use of the term "should" in this statement is important when considering the impact of this change against the five questions noted above. Will a change to this roof's profile have an unacceptable negative impact to the "overall character of the streetscape" of the HCD or to the heritage attributes of this property? To best answer this question, and as directed by Guideline 4.3.3 of Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada (the Standards and Guidelines), one must first understand what contributions this roof and property adds to the character of the historic place (the HCD).

The Old Sydenham HCD includes a wide variety of roof types. Some roof profiles are of very high cultural importance, and not just to the heritage character of the building, but to the district as well, particularly on some of the more prominent landmark buildings (i.e. the Hendry House, and the Belvedere and Hochelaga Inns). In those cases, a change to the roof profiles visible from the street would be discouraged. As a general conservation principle, changing an original roof profile is not desirable and should only be considered in extenuating circumstances.

Guideline 4.3.3 of the Standards and Guidelines recommends that when modifying a roof to accommodate a new or expanded use it should be done in a manner that "respects the

April 17, 2024

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building's heritage value" and thus its contribution to the historic place. The subject building is not a prominent landmark designed by a renowned architect, or a meeting place for some culturally significant event or the home of a prominent citizen. It is a simple, working-class vernacular row-house from the 1860s. This type of building, in a single, semi-detached or row-house form is common in the Old Sydenham HCD; examples can be found at 75 Gore Street, 152-166 Bagot Street and 198 King Street East, among others. Common to this style is a side-gable roof, with or without dormers. The low-pitch roof limits the interior ceiling height, thus reducing the usable space on the third floor of building; this, coupled with the small size of the property and the owners' desire to minimize the impacts to the heritage character of the building, limits their ability to adaptively reuse this attic space, thus requiring its alteration.

Standard 11 of the Standards and Guidelines directs that new construction should be "physically and visually compatible with, subordinate to and distinguishable from the historic place." This direction is echoed and expanded on through Section 5.2 of the HCD Plan. The HCD Plan states that additions should be located away from the street and be no taller (preferably lower) than, and to the rear of, the historic dwelling. While Section 4.3.1 of the HCD Plan discourages shed dormers, the general location and massing of the new dormer complies with Policy 5.2.

Standard 12 of the Standards and Guidelines, and Section 5.2.2 of the HCD Plan, speaks to designing new additions to ensure that the "essential form and integrity" of the heritage resource is not impaired should the new addition be removed in the future. While this is a substantial addition and change to the property, the features of the heritage building noted in the Property Inventory and designation by-law (i.e. brick construction and fenestration pattern on the front elevation) are being preserved and restored. Should the dormer be removed or further altered in the future, the integrity of the heritage resource can be understood and conserved.

Sections 5.3 and 5.4 of the HCD Plan provide more specific guidance on altering and adding additions to heritage buildings. The plan states that cladding on new additions should be distinct from the cladding on the heritage building and the use of reveals, transitions or offsets are encouraged to enable one to clearly identify the new addition against the original building form. The applicants have designed the new dormer to include an inset (reveal) along the eaves edge and side overhang, to retain evidence of the original roof profile.

Acceptable cladding on new additions includes wood or composite wood siding, with a preference for horizontal design and wood shingles (5.3.3). The submission proposes the use of horizontal wooden cladding on the new dormer and wooden shingles on the existing front gable dormers (Exhibit C). A condition of approval requiring the provision of details to staff on the new cladding (including colour) has been included to ensure the intent of this policy is met.

### **Results of Impact Analysis**

While the scope of the application will result in changes to the rear roof profile of the building, consideration of the contribution of this property to the heritage value of the Old Sydenham Heritage Conservation District and how these changes will impact that contribution, the above analysis concludes that the historic profile and contribution to the streetscape will be conserved



April 17, 2024

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and enhanced through various restoration efforts (i.e. window repairs and recladding of gable dormers) and not negatively impacted by the changes to rear of the roof with the new dormer, which is designed to be sympathetic and compatible with the HCD and the building. Once completed, this project will give this building a renewed purpose, while investing into its future as a contributing part of the Mozart Terrace and the Old Sydenham Heritage Conservation District.

Heritage Planning staff are of the opinion that the proposal conforms to the intent, goals and policies of the HCD Plan and will uphold the heritage conservation objectives set out within the City of Kingston's Official Plan, the Ontario Heritage Tool Kit, and Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada.

### **Previous Approvals**

P18-033-2012                      Repair front windows and add new storm windows (4 total)

### **Comments from Department and Agencies**

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

**Building:** A building permit is required for the proposed construction. Please note if there was a bedroom existing on the third story; an egress window is required. As per 9.9.9.1.(2) the travel limit from a floor level in the dwelling unit to an exit or egress door is permitted to exceed 1 storey where that floor level is served by an openable window or door, providing an unobstructed opening of not less than 1000mm in height and 550mm in width, and located so that the sill is not more than 1000mm above the floor, and 7m above adjacent ground level. Or provided with a balcony. Please note all construction, including but not limited to any roof overhangs, is not permitted to cross property lines. Beam pockets in a party wall are to be designed so that the thickness of party-wall remaining is enough to provide the appropriate fire separations. Beam pockets are to be designed so that the beam does not cross the property line.

**Engineering:** Development Engineering has no objections to this application. If temporary encroachment for construction purposes is required within the road allowance then a Permit from the City is required in accordance with City By-Law 2004-107.

**Planning:** The proposed development at 158 Earl Street is not compliant with the zoning, and as such a minor variance will be required for zoning relief.

**Public Works:** No objections from PW but if construction requires setting up on public property a temporary encroachment permit may be required.

### **Consultation with Heritage Properties Committee**

The Heritage Properties Committee was consulted on this application through the [DASH](#) system. Two members of the committee provided written comments on this application, noting

April 17, 2024

Page 10 of 11

concerns regarding the dormer and the loss of the stained-glass window. These matters have been addressed above in staff's analysis. The Committee's comments have been compiled and attached as Exhibit D and provided to the applicant.

### **Conclusion**

Staff recommends approval of the application File Number (P18-014-2024), subject to the conditions outlined herein.

### **Existing Policy/By-Law:**

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

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

City of Kingston Official Plan

Old Sydenham Heritage Area Heritage Conservation District Plan

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

By-Law Number 93-42 Designation By-Law for 158-162 Earl Street

City's Policy on Masonry Restoration in Heritage Buildings

City's Policy on Window Renovations 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 Konrade, Manager, Heritage Planning, 613-546-4291 extension 3256

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

### **Exhibits Attached:**

Exhibit A Context Map

Exhibit B Property Inventory Evaluation and Designation By-Law

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Exhibit C      Conceptual Plans

Exhibit D      Correspondence Received from Committee

Exhibit E      Final Committee Comments from April 17, 2024



# Kingston Heritage Properties Committee Neighbourhood Context

Address: 158 Earl Street  
File Number: P18-014-2024  
Prepared On: Mar-11-2024

- Subject Lands
- Property Boundaries
- Proposed Parcels



**158, 160, 162 EARL STREET**

**Built: 1867**

**Rating: S (Part IV)**



“This brick row of three dwellings, built for William Burrowes in 1867 was called Mozart Terrace and with its corner tower completes a block of notable buildings.

“The three dwellings in this brick terrace each have a window in the first bay and an entrance in the second. A hammer-dressed stone foundation is topped by an ashlar base course and the two-storey terrace has a gable roof hipped at the west end. The first floor windows have segmental arches and transoms; on the second floor they are flat-arched. Each dwelling has two gable-roofed dormers on the front slope of the roof.

“Originally, all doors had label mouldings. That of No. 158 has been removed and a shed-roofed porch added.

“At the west end of the terrace is a circular corner tower with the windows in each storey joined by a narrow stone sill course and a wider stone lintel course. Above the lintel course in both storeys is a wide decorative terra cotta band which extends in the second storey to a moulded cornice supporting the high conical roof.

“The west side has a window in each storey and a wide decorative cornice. \*

---

\* *Buildings of Architectural and Historical Significance*, Vol. 5, pp. 46-47 (1980).

**BY-LAW NO. 93-42**

**A BY-LAW TO DESIGNATE 158-160-162 EARL STREET OF  
ARCHITECTURAL VALUE OR INTEREST PURSUANT TO THE  
PROVISIONS OF THE ONTARIO HERITAGE ACT**

PASSED: January 12, 1993

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

WHEREAS Notice of Intention to Designate 158-160-162 Earl Street to be of architectural value or interest, pursuant to Section 29 of the Ontario Heritage Act, was sent by registered mail to the owners of the property and to the Ontario Heritage Foundation on the 18th day of November, 1992;

AND WHEREAS said notice was published in the Whig Standard on Saturday, November 7, 1992, Saturday, November 14, 1992, and Saturday, November 21, 1992;

AND WHEREAS the thirty day appeal period expired on December 7, 1992;

AND WHEREAS no objection to such designation has been received;

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

1. 158-160-162 Earl Street, in the City of Kingston, is hereby designated as being of architectural value or interest pursuant to Section 29 of the Ontario Heritage Act for the following reasons:

.../2

"The three 1867 dwellings in this brick terrace each have a segmental arched window in the first bay and a transomed entrance with label moulding in the second. Second storey windows are flat arched with gable roofed dormers above them. The west end, circular tower has windows joined by a narrow stone sill and a wider stone lintel. Above the lintel course in both storeys is a wide decorative terra cotta band which extends in the second storey to a moulded cornice supporting a high conical roof."

2. The subject property is more particularly described in Schedule "A" attached hereto.

3. The City Solicitor is hereby authorized to cause a copy of this By-Law and the reasons for designation to be registered against the lands described in Schedule "A" attached hereto in the Land Registry Office at Kingston, Ontario.

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

5. This By-Law shall come into force and take effect on its passing.

GIVEN THREE READINGS AND FINALLY PASSED January 12, 1993

  
CITY CLERK

  
MAYOR

**SCHEDULE 'A' TO BY-LAW NO. 93-42**

**PROPERTY ADDRESS:** 158 Earl Street

**OWNER:** Lewis David Johnson & Sheila Aldina Johnson

**LEGAL DESCRIPTION:**

ALL AND SINGULAR, that certain parcel or tract of land and premises, situate, lying and being in the City of Kingston in the County of Frontenac, and Province of Ontario, containing 1,493 square feet, more or less and being composed of Lot Number One according to a plan of subdivision registered on the 21st day of March, 1876, as No. C-7.

TOGETHER with a right-of-way over a lane in the rear of said Lot Number One from West Street as shown on said plan, such lane being 9 feet in width.

(As previously described in Instrument No. 375864).



March 3/24

Ryan Leary  
Senior Heritage Planner  
City of Kingston

Re: Heritage permit 158 Earl Street

Dear Ryan,

This is a letter of support for an application for renovations to 158 Earl Street. We also have a committee of adjustment application in for this property that we would like to run concurrently with the Heritage permit.

I little bit about the family that have recently purchased this home... They met in Kingston in 2015 and fell in love with the charm and character of heritage homes. They had to move away for work in 2017, but were delighted when they received permanent job opportunities back in Kingston this past May. They had been looking for a home in Sydenham ward and excited when this house came available. They also have close friends on the street. The only catch is that they have three children, aged 4, 2 and 1, so they need a bit more room in the house.

They are fine with the footprint and love the house, but to be a place to stay in and raise their children, they need more room on the top floor for their master bedroom. This will never be a student rental.

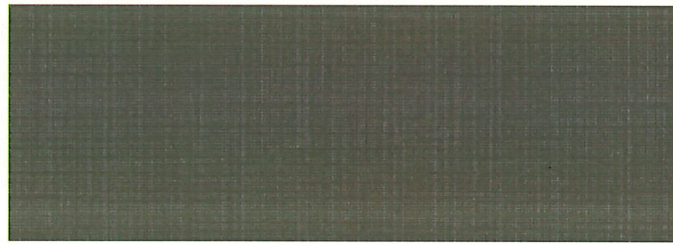
This home is not designated, but is part of the Sydenham ward district designation.

Here is what they are asking for :

- The main element is making more livable space on the third floor by building a shed dormer on the back side of the house
  - we do not want to change the narrow dormers on the front as this would change the character of this row house...although there will be some work to restore and properly weather seal the existing wood windows on the Earl Street Facade
  - There are three bedrooms on the second floor which will be for their three children...but in order to make a reasonable master suite on the third floor we are proposing a shed dormer.
    - We did try to make a master suite on the second floor, but it did not work...with the dormers being so narrow...app 34" wide. The majority of the 3<sup>rd</sup> floor is unusable. They needed to have room for a bedroom and bathroom...and if you place a bed you can't walk on either side without ducting your head.
    - Please note that we are not proposing to raise the existing peak of the roof, even though the head room is not much more then 7'

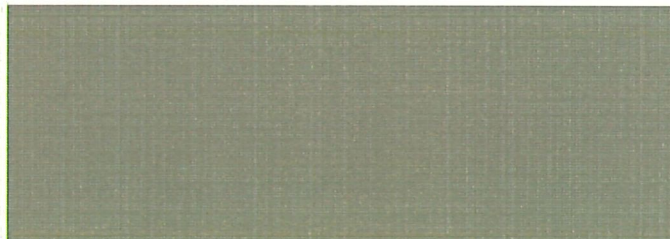
Mac **GERVAN**  
& Associates Ltd.

- The accompanying plans show what we are proposing here and you can see by the cross sections that the top floor as it is, is very limiting..it is barely a legal space on the third floor with the limited head room
- The shed dormer will still leave a relief of soffit and fascia all around
  - on the back side there will still be app. 2' of overhang at the bottom of the shed dormer, keeping the soffit line
  - on the west side towards the other row houses there will be 2' 8 1/2" to the edge of their property..not sure how close the shed dormer is on that side, but it appears to be very close to the edge of their property line
  - on the east side the side of the shed will be in 1'9" so there will be a substantial overhang left on this side as well
- We would like to use prefinished wood siding on the back dormer
  - the owners are thinking of beige-green colours for the siding...they are suggesting three Maibec colours....Green Tartan 306, Foliage Green 006, or pine crush 369....but they are open to suggestions from the committee....



**Green Tartan 306**

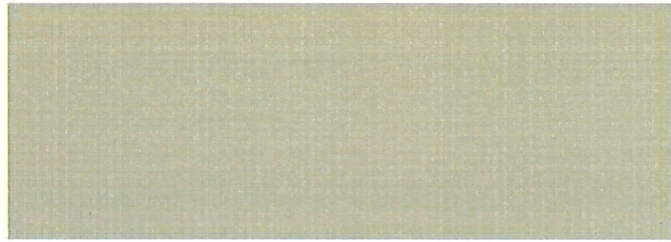
▪



**Maibec Foliage Green 006**

▪

**Mac GERVAN**  
& Associates Ltd.



## Pine Crush 369

- we are proposing to use Marvin double hung windows in the dormer with three over three vertical simulated lights as the windows are on the front and most of the windows on the back
- You can see from the photos of the back of the row houses that the windows are quite a mix, with no real consistency. We are proposing to make all the windows in the house to match with the front windows
- The middle row house has a shed dormer already..this former goes very close to the edge of their property line...we plan to be inside our property line to give a bit of relief
- There is no back lane way or driveway so the back of the house, particularly this end, can only be seen at an angle from the side street, West Street, and with the back extension of this home it makes it very difficult to see at all...the owners do not even have a parking spot with their home...there is a small stone walled in postage stamp back yard to this home, with no access from the back
  - the combination of the 'flat' roof and the house at 165 west street the dormer will be difficult to see, particularly when there are leaves on the trees
- next to this end of the row houses on Earl street is a very tall house that will block almost all the view of the proposed dormer
- So that is the dormer part of this application
- We would like to change the asphalt shingles on the sides of the front dormers to cedar shingles, which we feel where probably there when the home was first constructed...we are suggesting a prefinished cedar shingle in a grey tone, the look of what a cedar shingle that has naturally patina.

Mac **GERVAN**  
& Associates Ltd.

- We are proposing to add a light to the front door, it will be the proposed light or a similar style to the left of the door



- - it actually is a building code law that there should be a light outside of ever entrance door
  - we propose to install it on the left side as the right side would actually be on the neighbours property

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& Associates Ltd.

- We would like to change the front window(1) on the main floor as it has been replaced and is now a fixed window with a modern stained glass above and does not allowing any ventilation, where there was a double hung window there originally...there are signs of cord balances which you can see from the photos..it shows that the original window was a full double hung, as we are proposing
  - The owners contacted Alex Rowse-Thompson(Heritage Studio) to have a look at the window and this was her response.... “it is a ‘period window’ but it’s definitely not original as the size of the glass is large. It no longer opens and has a terrible storm screwed to it!”
  - the three row houses all have different windows...there is no consistency
  - We are proposing a Marvin Double Hung Ultimate(wood window with aluminum exterior cladding again with three over three vertical simulated lites...all windows will be white..this will match the style of the other 4 existing windows on the Earl Street Facade
  - we feel this would be the closest to what was there originally
- the existing wood windows on the front we will restore and weather strip.
- Other proposed window changes
- Again comments from Axel Rowse-Thompson
  - “Rear elevation – There is a mix of period windows on the rear, including 1-over 1 sash windows on the ground floor, and one 6-over6 sash window and one 6-over-1 sash window in the bathroom and rear bedroom on the second floor. Again, they are all considered ‘period’ windows under the Window Policy and are in reparable condition(except the vinly ones). However, given the variety of styles and eras(including the one that must have had its lower sash replaced at some point in the bathroom), and their location on the rear in a heritage conservation district, I think it is a reasonable approach to replace them with new aluminium clad period appropriate windows(is, the Ultimate series for Marvin), given the age of the house, a 2-over 2(like the dormer window) would be appropriate.”
    - my comment about this is that the dormer windows are very narrow, so in the larger windows we should to 3 over three, which is what we are proposing

- we would like to install a matching window(2), in what will be the new kitchen to match the front window...this window has been replaced at some point as it does not have any mullions and has a very ugly aluminum storm on the outside... this way it will match the new front room as we are proposing to open up the central wall, so the room will feel like one
- please note that almost all the back windows can be seen only from their postage stamp back yard, as the addition angles to the east
- narrow window (3) which will become the dining room we would like to install a double hung, but with 2 vertical lites as it is narrow in either a Marvin Ultimate or their fibreglass Elevate window
- window 4 on main floor will be a double hung window with three vertical lites to match the bulk of the windows
- on second floor
  - windows 5,6,and 8 will be double hung with three vertical lites
    - all three of these windows except possibly #6 have been changed over time
    - we would like to have some consistency for all the back window
  - window 7 will be double hung but with only 2 vertical lites as it is a narrow window
  - also note that windows 7 and 8 have been replaced with vinyl double hungs
  - window 9 is and old style wood window with aluminum storm which we plans to change with a horizontal slider as it sits down in a window well
- you can see photos of all the existing windows on the submitted plans
- we also plan to repair and restore existing soffit and fascia, but make no real changes

That is all that we are requesting in this application. I hope you find this acceptable and we look forward to meeting with you.

Thankyou



Mac Gervan

Mac **GERVAN**  
& Associates Ltd.

|      | General Notes   | Perspectives |
|------|-----------------|--------------|
| A-1  | General Notes   | Perspectives |
| A-2  | Site Sketch     |              |
| A-3  | Sections        |              |
| A-4  | Foundation plan |              |
| A-5  | Plan Floor 1    |              |
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| A-7  | Plan Floor 3    |              |
| A-8  | Elevations      |              |
| A-9  | Elevations      |              |
| A-10 | Elevations      |              |
| A-11 | PHOTOS          |              |
| A-12 | PHOTOS          |              |

**PLANS FOR  
HERITAGE  
APPLICATION**

Revisions:

**Mac GERVAN  
& ASSOCIATES Ltd.**

Residential and Commercial  
Design Services

Consulting and Project  
Management

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fax 546-6249  
e-mail mac@gervan.ca  
Company BCIN # 33630  
Mac Gervan BCIN# 21054

Project:

**THOMAS SKINNER  
HALEY MOTRUK  
158 EARL ST  
KINGSTON. ON**

Drawing:

**PHOTOS**

Date:

FEB 23 2024

Scale:

Drawn By:

MG/GF

File:

158 EARL ST  
printed 2024-02-23

Drawing #:

**A-11**



WINDOW 1 MAIN FL NORTH



WINDOW 1 SASH



WINDOW 2 MAIN FL SOUTH



WINDOW 3 MAIN FL EAST



WINDOW 4 MAIN FL EAST



WINDOW 5 2nd STOREY SOUTH



WINDOW 6 2nd STOREY SOUTH BEDROOM



WINDOW 7 2nd ST EAST



WINDOW 8 2nd FL SOUTH



WINDOW 9 BASEMENT SOUTH



162

160

SOUTH VIEW of ADJACENT ROW HOUSE



158

160

162

NORTH VIEW of EARL STREET ROW HOUSE



SOUTH SHED DORMER at 160 EARL

|      |                 |              |
|------|-----------------|--------------|
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Scale:

Drawn By: MG/GF

File: 158 EARL ST printed 2024-02-23

Drawing #: A-12



**REQUESTED VARIANCE**

BY-LAW 2022-62 ZONE HCD3

13.4.2.

**1. DORMERS**

| REQUIRED   | VARIANCE REQUESTED                             |
|--|--|
| (a) 0.4m SETBACK   | <u>0.4m</u>                                    |
| (b) 1.0m from ROOF EDGE  | WEST SIDE <u>0.17</u><br>EAST SIDE <u>0.47</u> |
| (c) 50% of LENGTH = 3.95<br>DORMER ROOF = 6.55<br>RELIEF OF 2.6M REQUESTED | <u>2.6m</u> (6.55 - 3.95)                      |

**PLANS FOR HERITAGE PERMIT**



EXISTING SOUTH DORMERS



SOUTH VIEW



NEW SOUTH SHED DORMER

|      |                 |              |
|------|-----------------|--------------|
| A-1  | General Notes   | Perspectives |
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Drawing:  
**General Notes  
Perspectives**

Date: FEB 23 2024

Scale:

Drawn By: MG/GF

File: 158 EARL ST  
printed 2024-02-23

Drawing #: **A-1**

|      |                 |              |
|------|-----------------|--------------|
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Drawing:

**Elevations**

Date:

FEB 23 2024

Scale:

Drawn By:

MG/GF

File:

158 EARL ST  
printed 2024-02-23

Drawing #:

**A-8**



North Elevation (Existing)



WINDOW 1

North Elevation

|      |                 |              |
|------|-----------------|--------------|
| A-1  | General Notes   | Perspectives |
| A-2  | Site Sketch     |              |
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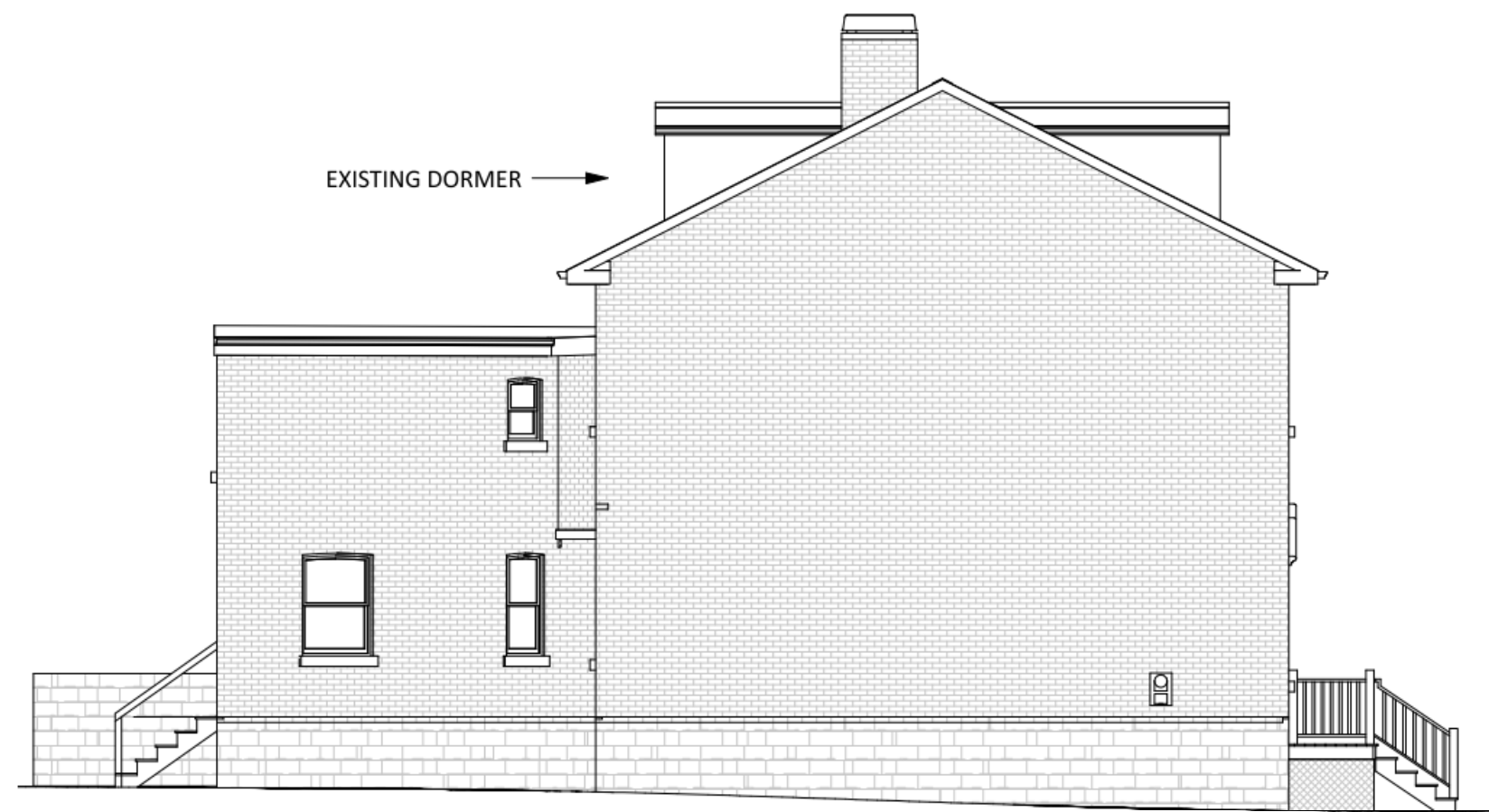
Drawing:  
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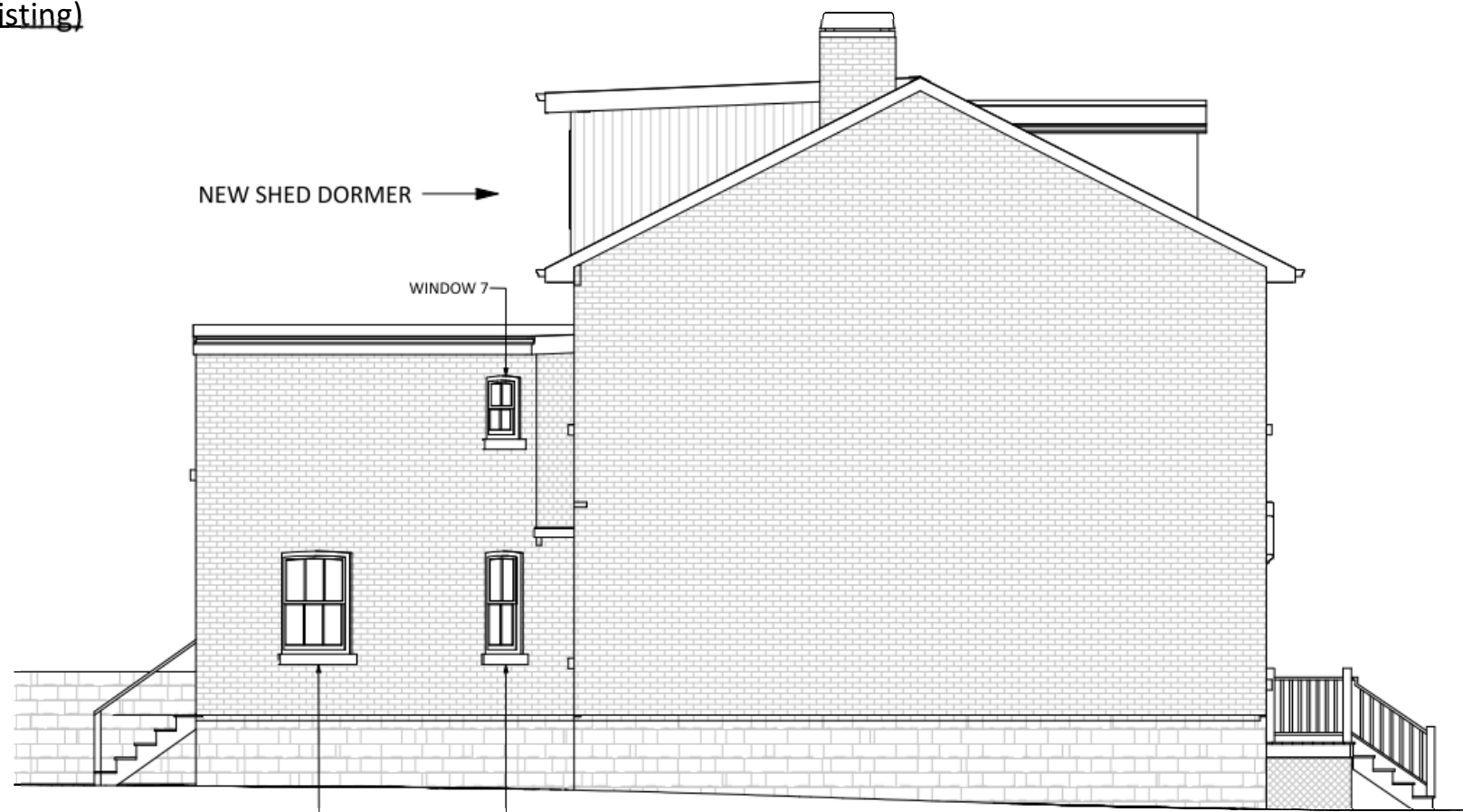
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File: 158 EARL ST  
 printed 2024-02-23  
 Drawing #: **A-9**



**East Elevation (Existing)**



**East Elevation (Proposed)**

|      | General Notes   | Perspectives |
|------|-----------------|--------------|
| A-1  | General Notes   | Perspectives |
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HERITAGE  
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HALEY MOTRUK  
158 EARL ST  
KINGSTON. ON**

Drawing:

**Elevations**

Date: FEB 23 2024

Scale:

Drawn By: MG/GF

File: 158 EARL ST  
printed 2024-02-23

Drawing #: **A-10**



← EXISTING DORMERS

South Elevation (Existing)



3 NEW  
DORMER  
WINDOWS

WINDOW 8

WINDOW 6 WINDOW 5

WINDOW 2

WINDOW 9

South Elevation (Proposed)

# Kingston Heritage Properties Committee

## Summary of Input from Technical Review Process

**P18-014-2024**

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



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Kingston, Ontario  
Canada, K7L 2Z3

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|                   |   |
|-------------------|---|
| Date:             | March 12, 2024                              |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Peter Gower                                 |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-014-2024</a>                |
| Property Address: | 158 EARL ST                                 |

---

#### Description of Proposal:

The subject property is the easterly unit in a three-unit rowhouse known as the Mozart Terrace. It is located on the south side of Earl Street, just east of West Street. The property is designated under both Parts IV and V of the *Ontario Heritage Act*. The applicant is seeking heritage approval to install a rear shed dormer with three windows. The dormer will face south and be clad in pre-finished wood siding. A series of window replacements on the front and rear elevations are also proposed in order to unify the design of the windows. The front dormers are to be clad in cedar shingles, and a new "coach light" is proposed adjacent to the main front door. Detailed plans and a cover letter, prepared by Mac Gervan & Assoc. have been submitted in support of this application.

#### Comments for Consideration on the Application:

While I can accept the changes to the front of the house, I am opposed to the shed dormer on the rear. It is visible and is not suitable for this style of building. The shed dormer on 160 is an unfortunate precedent.



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TTY: Dial 613-546-4889

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|                   |   |
|-------------------|---|
| Date:             | March 13, 2024                              |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Jane McFarlane                              |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-014-2024</a>                |
| Property Address: | 158 EARL ST                                 |

---

#### Description of Proposal:

The subject property is the easterly unit in a three-unit rowhouse known as the Mozart Terrace. It is located on the south side of Earl Street, just east of West Street. The property is designated under both Parts IV and V of the *Ontario Heritage Act*. The applicant is seeking heritage approval to install a rear shed dormer with three windows. The dormer will face south and be clad in pre-finished wood siding. A series of window replacements on the front and rear elevations are also proposed in order to unify the design of the windows. The front dormers are to be clad in cedar shingles, and a new "coach light" is proposed adjacent to the main front door. Detailed plans and a cover letter, prepared by Mac Gervan & Assoc. have been submitted in support of this application.

#### Comments for Consideration on the Application:

Although shed dormers are discouraged in the Old Sydenham HCD Plan, the setbacks on the front and sides of this dormer, although less than required for zoning compliance, maintain a sense of the original roofline and are acceptable from a heritage point of view on the rear of the building.

Repairing and restoring the Period windows on second and third floor of the façade is commendable and supported. It is unfortunate that there are no older photos available to give direction for the main floor window which seems to have been altered at some point. Although the proposed three-over-three window could work another option would be to maintain the later stained-glass portion and install a simple one-over-one operable replica wooden sash window that would complete the façade with wooden windows. Although not discussed, if the façade basement window is Period, it would be best to repair and maintain.

On the rear of the building, the option of two-over-two windows or even one-over-one could be considered and simplify the look.

**Summary of Final Comments at the April 17, 2024 Heritage Properties Committee Meeting**

[To be added following the meeting.]





**City of Kingston**  
**Report to Kingston Heritage Properties Committee**  
**Report Number HP-24-021**

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**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:** April 17, 2024

**Subject:** Application for Ontario Heritage Act Approval

**Address:** 28 Maitland Street (P18-1010)

**File Number:** P18-018-2024

---

**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

The subject property at 28 Maitland Street is located on the south-west side of the street, south of King Street East. The property is designated under Part V of the *Ontario Heritage Act*, as part of the Old Sydenham Heritage Conservation District.

An application for alteration under Section 42 of the *Ontario Heritage Act* (P18-018-2024) has been submitted to request approval to construct a 9' by 13' (2.7 metre by 3.9 metre) detached storage building (shed) and small garbage enclosure on the property, which was largely completed in error without prior approvals. A conceptual site plan, prepared by the owner, and a detailed Heritage Review letter, prepared by Heritage Studio, were submitted in support of this application.

This application was deemed complete on March 14, 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 June 12, 2024.

April 17, 2024

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

**Recommendation:**

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

**That** the new construction at 28 Maitland Street, be approved in accordance with the details described in the application (File Number P18-018-2024), which was deemed complete on March 14, 2024, with said application to include the construction of a detached storage building and garbage enclosure; and

**That** the approval of the application be subject to the following conditions:

1. All *Planning Act* applications shall be completed, as necessary;
2. Details, including colour(s) and specifics, of the new roofing, rain gear and lighting, if applicable, shall be submitted to Heritage Planning staff, prior to installation, for review and approval, to ensure they complement the heritage character and attributes of the district; and
3. Any minor deviations from the submitted plans, which meet the intent of this approval and do not further impact the heritage attributes of the property, shall be delegated to the Director of Heritage Services for review and approval.



April 17, 2024

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

The subject property at 28 Maitland Street includes the northern portion of a semi-detached dwelling that spans two separate properties (severed in 2020), at the south-west side of the street, south of King Street East. The property includes a two-storey dwelling with a mansard roof, setback over 20 metres from the front lot line. It is designated under Part V of the *Ontario Heritage Act*, as part of the Old Sydenham Heritage Conservation District (Exhibit B – Property Inventory Evaluation).

Following a misunderstanding, the owners have constructed a 9' by 13' (2.7 metre by 3.9 metre) detached storage building (shed) and small garbage enclosure on the property without prior *Ontario Heritage Act* approval. Application Number P18-018-2024, under Section 42 of the *Ontario Heritage Act*, has been submitted to request approval to rectify this error for these largely completed structures. The new shed will be 12 feet (3.7 metres) tall, with a gable roof (to be covered in dark coloured standing metal roofing) and clad in painted fibre cement clapboard in a green tone. A salvaged wooden casement window is installed on the east elevation and a pair of glazed wooden French doors, salvaged from the main building in 2020, are installed on the west elevation. A small wooden garbage enclosure, clad in matching clapboard siding, is located just to the south of the shed.

A conceptual site plan, prepared by the owner, and a detailed Heritage Review letter, prepared by Heritage Studio, were submitted in support of this application and are attached hereto as Exhibit C – Concept Plans.

The submission materials in their entirety 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.

This application was deemed complete on March 14, 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 June 12, 2024.

**Reasons for Designation/Cultural Heritage Value**

26-28 Maitland Street are designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District (HCD) through By-Law Number 2015-67. The Old Sydenham Heritage Area HCD Plan Property Inventory Evaluation identifies the property (including both 26 and 28 Maitland Street) as ‘contributing’ to the Old Sydenham HCD by way of its’ low massing, mansard roof, rectangular openings and its 2-tiered façade.

The Inventory Evaluation notes that the building was built circa 1904-1908; however, physical evidence within the building, obtained in 2020, suggests that portions of the current structure

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(rear wall) may be from an earlier limestone outbuilding that once served the dwelling at 5 Emily Street.

The Property Inventory Evaluation has been included as Exhibit B.

### **Cultural Heritage Analysis:**

#### **Applicable Local Policies/Guidelines**

While 28 Maitland Street is not rated as a “significant” building by the Old Sydenham HCD Property Inventory Evaluation, it is still considered a “contributing” building to the heritage character of the HCD and thereby considered a “heritage building” for the purposes of the District Plan’s policies and guidelines.

The proposed works are required to be undertaken in accordance with the Old Sydenham Heritage Area Heritage Conservation District Plan (District Plan). Other applicable by-laws, policy and guidance (including Parks Canada’s ‘Standards and Guidelines for the Conservation of Historic Places in Canada’) should also be considered and followed in order to ensure that the new structures complement and enhance the District.

#### **Summary of Project Proposal and Impact Analysis**

Section 2.2 of the District Plan provides a Statement of Cultural Heritage Value or Interest for the entire district. This includes a value statement as well as a list of heritage attributes, which include: “Varied ages, styles and types of buildings...; A compact scale comprised of street width, building height (approximately 2-3 storeys) and setbacks.” Additionally, Section 2.3 of the District Plan provides a description of the sub-areas and their heritage attributes. This proposal is located in the ‘King Street Corridor’ sub-area and its attributes are described in Section 2.3.1 of the District Plan and include the “varied ages, styles and types of buildings, with both vernacular and architect-designed examples of over two centuries of architectural styles;” and the “views of the lake down each cross street.” The subject property contributes to both of these attributes noted above, making it a culturally important part of the District.

Section 2.5 (Designation Goals and Objectives) of the District Plan speaks to the goals and objectives for the District as a whole, including Heritage Buildings, Landscapes and Streetscapes, and Land Use. The application for 28 Maitland supports the goals as presented in the District Plan, specifically “Preserving the existing pattern of blocks, streets and lanes” (2.5.3); and “Encouraging alterations and new infill that is compatible with the arrangement, scale, architectural style and materials that constitute the district’s heritage character” (2.5.4).

While the District Plan does not contain any specific policies or guidelines related to detached accessory buildings or structures, Section 5.0 of the District Plan provides direction related to new additions and Standard 11, of Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada, is also applicable.

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Standard 11 directs that new construction should be “physically and visually compatible with, subordinate to and distinguishable from the historic place.” This direction is echoed and expanded on through Section 5.2 of the District Plan. The District Plan states that additions should be located away from the street and be no taller (preferably lower) than, and to the rear of, the historic dwelling. The purpose and goal of this direction is to ensure that new construction is considerate of its context, and that the heritage buildings are not obstructed or overshadowed by the new construction, and thereby conserving their contribution to the heritage character of the District. Ideally the new construction should not only complement the character of the property and District but should also help enhance the character and one’s appreciation of the District.

The new shed is located in the front yard, which conflicts with the District Plan’s guidelines for new additions to heritage buildings. However, Maitland Street is somewhat unusual in design as it evolved more organically than most in the District; not strictly planned as a residential streetscape. It includes various former outbuildings, now residences, and several more recent in-fill buildings, all leading to the water and the Kingston Yacht Club. The main house (26 and 28 Maitland), while a contributing building to the District, is not a landmark building, nor is it designated individually on its own merits. Its simple form, mansard roof and detailing complement the character of the area; however, the main building is setback over 20 metres from the street, thereby limiting its contribution to the streetscape. The most prominent buildings along this side of Maitland Street are the two one-and-a-half storey limestone former carriage houses that flank the subject property to the north and south and sit very close to the street. These stone buildings have a strong presence on the street and are significant to the eclectic character and history of the streetscape.

At 3.7 metres tall, the new shed is shorter than the main building, however at 3.9 metres wide it will obstruct the view of a portion of the main building. The main building’s location on the lot limits the owners’ ability to construct a shed in either the rear or side yards. The new shed is setback approximately 10 metres from the street, about halfway between the street and the main building, thereby allowing the owners to retain their required parking spaces and creating a small, semi-private amenity area in their front yard. The setback of the new shed also allows for uninterrupted views of the flanking limestone buildings, as well as the roof line and portions of the main house at 26 and 28 Maitland Street.

The new shed itself is a simple, traditional design that complements the character of the property and area, and according to the review letter by Heritage Studios (Exhibit C) it “is compatible with the surrounding historic environment, sits comfortably alongside the adjacent stone outbuildings and recently rehabilitated [main] house.” The new shed is a rectangular building with a medium pitched gable roof, to be clad in appropriate dark metal roofing (Section 5.5.1). The one window facing the street is an older wooden unit with six-panes that matches the glazing pattern of the main house. The building’s cladding is an acceptable concrete fibre board (Section 5.3.3 and 6.2.7) with matte green paint, finished in a clapboard style.

Both the Ontario Heritage Tool Kit’s ‘Eight Guiding Principles in the Conservation of Built Heritage Properties’ and the Federal Standards and Guidelines encourage alterations to be

April 17, 2024

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“reversible” so that, if removed in the future, the integrity of the heritage resource could be restored. As these sheds are standalone structures, no physical alterations to either the main building or adjacent stone buildings are proposed, and thus the sheds could be removed in the future with no impacts.

**Results of Impact Analysis:**

Each application for *Ontario Heritage Act* approval must be treated separately, with site specific factors and characteristics considered. The erection of a new building in the front yard of a heritage property would, on the outset, seem like an inappropriate intervention; however, the pattern of development on Maitland Street is atypical, and in this case, the building does not appear out of place. Further, given that the main heritage building is not a prominent feature in the district and its setback minimizes its contribution to the streetscape, the proposal to construct a small, appropriately designed storage building, in the only location that is available on the site for such a structure, is supportable in this particular situation.

This proposed change will not physically impact the heritage features of the property, nor have a negative impact on the streetscape or overall character of the District. While the scope of the application will result in a modest change to the streetscape of Maitland Street, when one considers what contribution this property provides to the Old Sydenham Heritage Conservation District and how these changes will affect that contribution, the analysis concludes that those physical aspects such as its low massing, mansard roof, rectangular openings and its 2-tiered façade are being conserved and not negatively impacted.

Heritage Planning staff agree with the conclusion of the Heritage Studio report that the proposal conforms to the intent, goals and policies of the District Plan and upholds the heritage conservation objectives set out within the City of Kingston’s Official Plan, and the direction given by the Provincial Policy Statement, the Ontario Heritage Tool Kit, and Parks Canada’s Standards and Guidelines for the Conservation of Historic Places in Canada.

**Previous Approvals**

P18-009-2020      Extensive repairs and renovations to building.

**Comments from Department and Agencies**

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

**Planning:**

The property is currently subject to a planning pre-application. Zoning relief will be required for the accessory building that has been constructed in the front yard.

April 17, 2024

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### **Consultation with Heritage Properties Committee**

The Heritage Properties Committee was consulted on this application through the [DASH](#) system. Three members of the committee provided written comments on this application. No substantial concerns were expressed. The Committee's comments have been compiled and attached as Exhibit D and provided to the applicant.

### **Conclusion**

Staff recommends approval of the application File Number (P18-014-2024), subject to the conditions outlined herein.

### **Existing Policy/By-Law:**

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

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

Ontario Heritage Tool Kit (Ministry of Citizenship and Multiculturalism)

City of Kingston Official Plan

Old Sydenham Heritage Area Heritage Conservation District Plan

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

City's Policy on Masonry Restoration in Heritage Buildings

City's Policy on Window Renovations 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

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

### **Exhibits Attached:**

Exhibit A     Context Map



April 17, 2024

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- Exhibit B Property Inventory Evaluation
- Exhibit C Conceptual Plans
- Exhibit D Correspondence Received from Committee
- Exhibit E Final Committee Comments from April 17, 2024



**28 MAITLAND STREET****Built: 1904-08****Rating: C**

A brick building with this footprint first appears in the 1908 fire insurance map. It is not present on the 1892 fire insurance map, updated in 1904. It has since been clad with clapboard-style siding, but its mansard roof is original. The building is set-back from Maitland Street, but is readily visible from the car park north of 16 Maitland Street.

This structure's low massing, mansard roof, its rectangular openings, and 2-tiered façade contribute to the heritage character of this area.

**HERITAGE** studio

Alex Rowse-Thompson MCIP RPP CAHP  
Skeleton Park, Kingston, ON  
613-305-4877  
alex@heritagestudio.ca  
613-305-4877

February 26, 2024.

Sent by EMAIL

Joel Konrad, Manager, Heritage Planning  
Heritage Services, City of Kingston  
216 Ontario Street  
Kingston, ON, K7L 2Z3  
289-925-6499  
jkonrad@cityofkingston.ca

RE : **HERITAGE REVIEW - 28 MAITLAND STREET**  
(HERITAGE PERMIT APPLICATION)

Dear Mr. Konrad,

The purpose of this letter is to provide the City of Kingston with a professional heritage review of a recently constructed accessory building (i.e., the shed) at 28 Maitland Street. The property is designated under Part V of the *Ontario Heritage Act* (OHA) as part of the Old Sydenham Heritage Conservation District (HCD), and consequently, the owners of the property are required to submit a Heritage Permit application in accordance with Section 42(1) of the OHA before erecting any new building or structure. Unfortunately, a misunderstanding between the Owners and City staff in an informal pre-consultation led to the shed being erected without a Heritage Permit in the fall of 2023. In response, the City issued a Notice of Contravention, dated January 9, 2024.

Heritage Studio has been retained by James and Anne Mathers (Owners) to provide a professional heritage review of the application in support of a Heritage Permit submission by Fotenn Planning + Design (the Owner's agent), to bring the shed into compliance with the OHA. Through discussions between Alex Rowse-Thompson (Heritage Studio) and Ryan Leary, (Senior Heritage Planner at the City of Kingston), it was agreed that the scale and nature of the shed, do not necessitate the completion of a Heritage Impact Assessment; however, given the shed's location within the front yard of the property, a heritage review is required to

evaluate and confirm that there is no negative impact to the cultural heritage value or attributes of the Old Sydenham HCD.

The following documents were reviewed in the preparation of this letter and form the cultural heritage policy framework: *Ontario Heritage Act*; *2020 Provincial Policy Statement*; City of Kingston Official Plan; Old Sydenham Heritage Conservation District Plan; Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada (the Standards and Guidelines); and the Ministry of Tourism, Culture and Sport's Heritage Tool Kit.

Alex Rowse-Thompson of Heritage Studio completed a site visit on February 14, 2024. The site visit included a review of the subject property and the new shed, adjacent properties, and surrounding streetscape. Please see Appendix 1 for photographic documentation.



Figure 1: Location of property at 28 Maitland Street. (Google Maps, annotated by Heritage Studio)

## 1.0 PROPERTY DESCRIPTION & CONTEXT

The property at 28 Maitland Street is located on the west side of Maitland Street, just south of King Street East, within the Old Sydenham Heritage Conservation District. The property forms approximately one half of a one-and-a-half storey house with mansard roof, constructed between 1904-1908. The one-and-a-half storey house originally functioned as a stable/garage to 5 Emily Street, but was converted to residential use (i.e., apartments) sometime in the 1950s and most recently rehabilitated to two separate residential units on

two separate lots (i.e., 26 and 28 Maitland Street). The 1908 and 1924 Fire Insurance Plans identify the house as brick masonry construction (Figures 3 & 4), but in fact the house's structure is a combination of limestone and brick masonry. The house is currently clad in an insulated stucco finish on the south, east and north elevations.

The house is set well back from Maitland Street and is practically located in the centre of the block bound by Lake Ontario, Maitland, King, and Emily Streets. The house has a deep front yard, a very shallow side yard to the south, a very shallow rear yard to the west and no side yard to the north (i.e., 28 Maitland Street has no side yard). A cedar hedge borders the front lot line on the northern half of the property. Two large historic stone outbuildings flank the property to the north and south (16 Maitland Street and 53 King Street East), which are set far forward of the existing house at 26-28 Maitland Street with little to no setback from the street.

An in-depth property history has not been carried out for the purpose of this heritage review, however, it is important to note that the inconsistent building line, irregular lot fabric and varied architectural character along Maitland Street reflects the street's incremental development from the early 19<sup>th</sup> century, which was influenced by both its proximity to the waterfront (industry and recreation) and its historic use and function as the 'back of house' area to several large estates on Emily and King Streets (Figure 2).

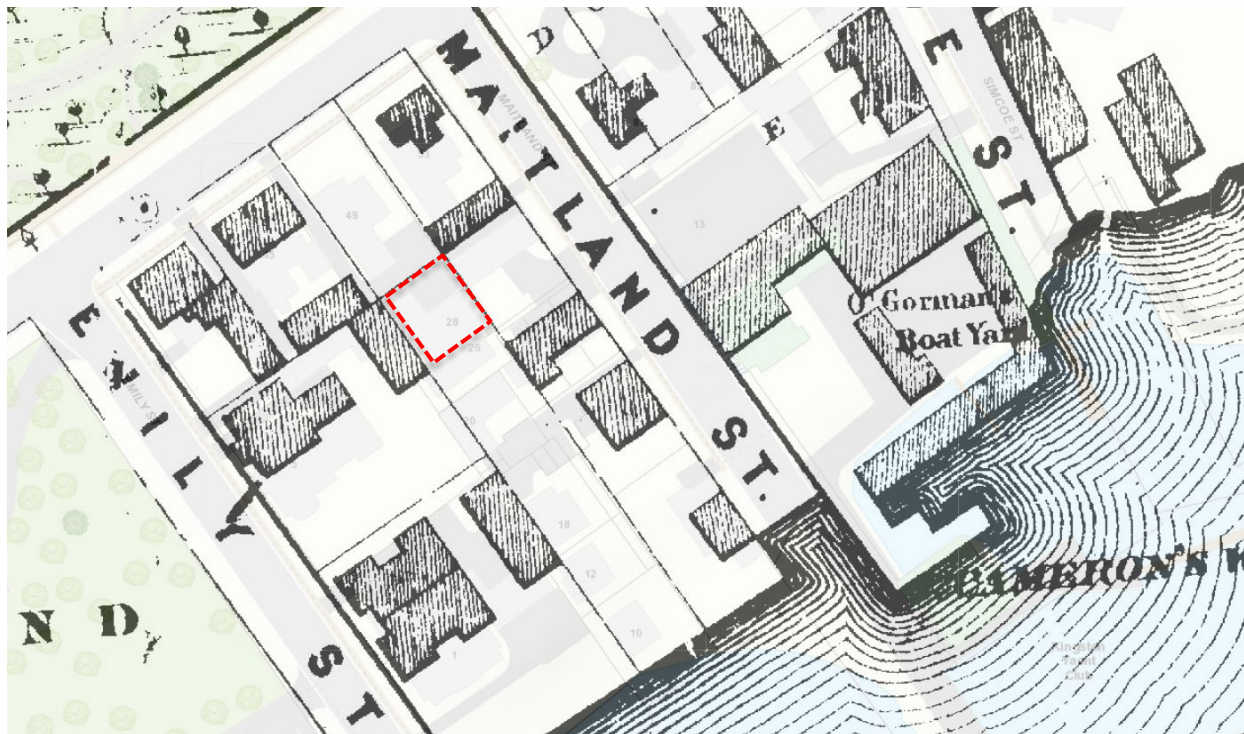


Figure 2: The approximate location of the property identified on the 1865 John C. Innes map. (City of Kingston, annotated by Heritage Studio)

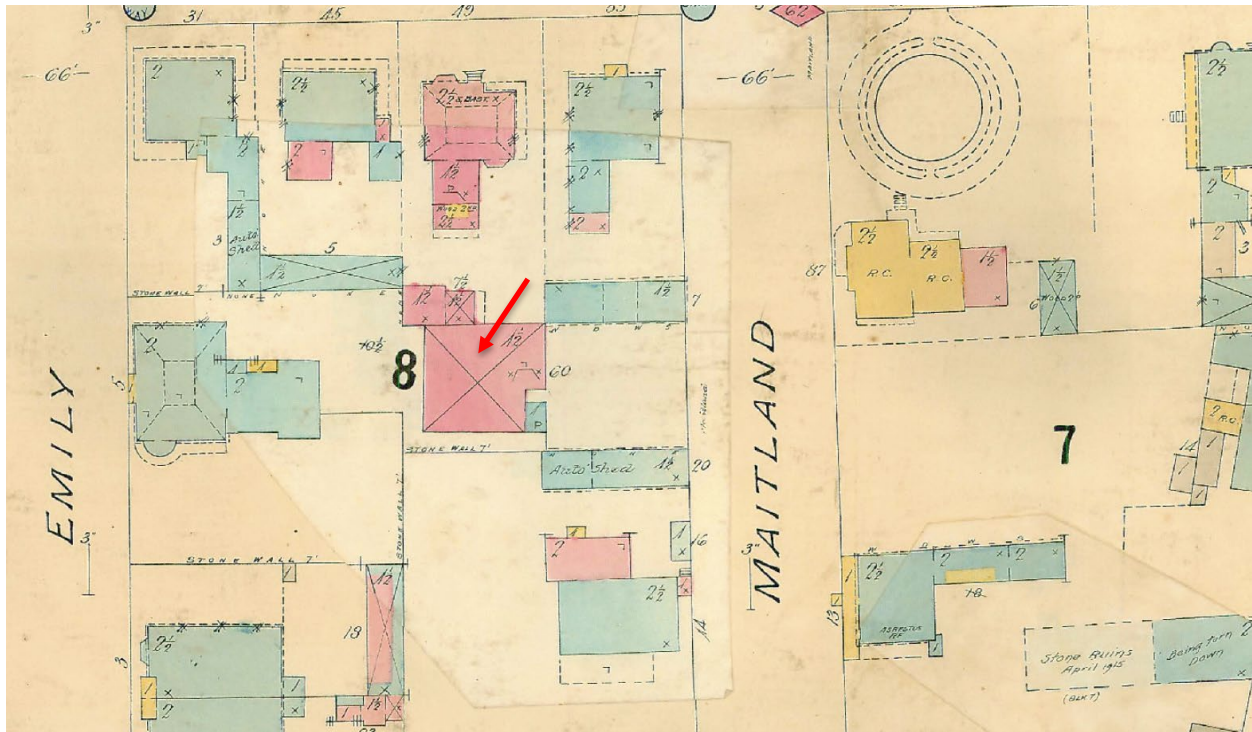


Figure 3: The property as shown on the 1908 Fire Insurance Plan. (City of Kingston, annotated by Heritage Studio)

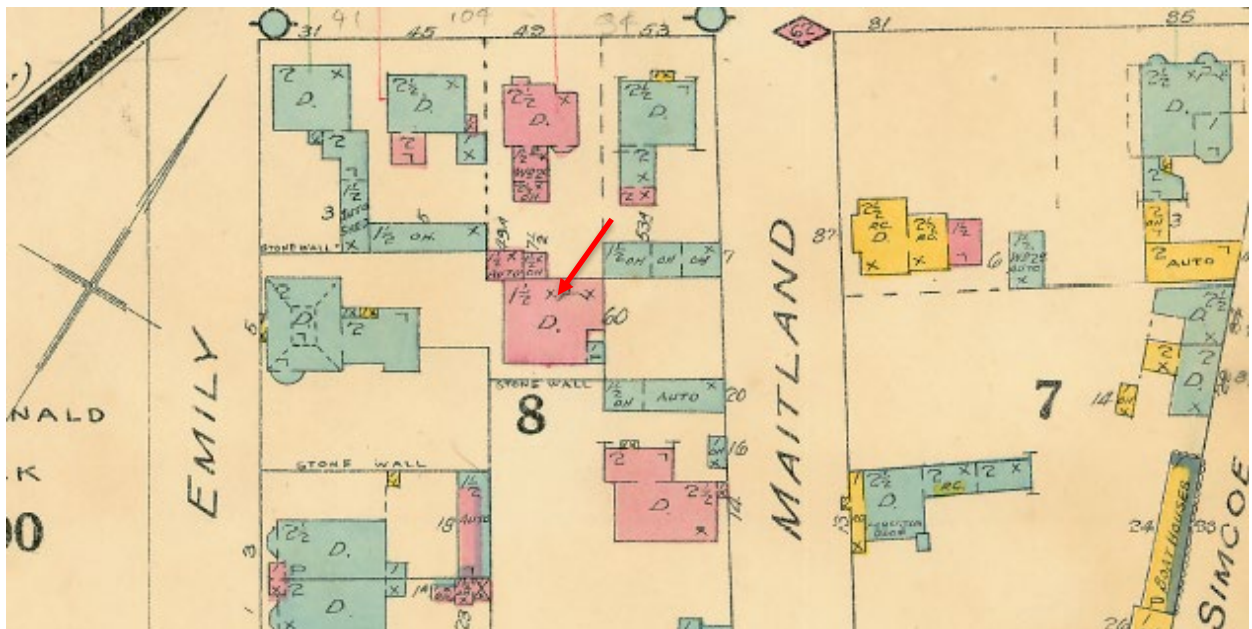


Figure 4: The property as shown on the 1924 Fire Insurance Plan. (City of Kingston, annotated by Heritage Studio)

## 2.0 CULTURAL HERITAGE VALUE

The property is located within the King Street Corridor sub-area, and the Property Inventory Evaluation form evaluates the subject property as “contributing” to the heritage character of the Old Sydenham HCD through its “low massing, mansard roof, its rectangular openings, and 2-tiered façade” (Appendix 2). The one-and-a-half storey house at 26-28 Maitland Street has been heavily modified since its original construction; however, its most recent rehabilitation to two residential units has successfully retained its massing and scale, including mansard roof and regular rectangular window openings, and therefore, continues to contribute to the cultural heritage value and attributes of the Old Sydenham HCD (Figure 5).



Figure 5: The subject property before and after rehabilitation to two separate residential units. (Google Maps and Heritage Studio, February 2024)



Figure 6: Maitland Streetscape looking northwest with new shed visible but set back from adjacent stone outbuildings. (Heritage Studio, February 2024)





Figure 7: Maitland Streetscape looking southwest with house and shed, and 28 Maitland Street shielded by adjacent stone outbuilding. (Heritage Studio, February 2024)

The Old Sydenham HCD Plan does not specifically describe the character of Maitland Street, which is atypical of the King Street Corridor sub-area and of the Old Sydenham HCD. Rather, Maitland Street's heritage character is defined by its irregular lot fabric, inconsistent building line, and historic use as a 'back of house' area to the large estates on Emily and King Streets. In many ways, the heritage character of Maitland Street is more comparable to Lily Lane than to a typical residential streetscape in the District. The property at 26-28 Maitland Street contributes to heritage character of Maitland Street, but the house's deep setback from the street means that the two adjacent stone outbuildings are more visually prominent in the streetscape, largely shielding the house from views looking north towards City Park and south towards the waterfront (Figures 6 & 7).

In summary, the property contributes to the following heritage attributes of the Old Sydenham HCD and King Street Corridor sub-area:

#### Old Sydenham HCD

- Varied ages, styles and types of buildings, with both vernacular and architect-designed examples of over two centuries of architectural styles
- A compact scale comprised of street width, building height (predominantly 2-3 storeys) and setback;
- Views down to the lake, to the park and to the downtown;
- Trees lining streets and dominating rear yards;
- Surviving examples of historic landscape elements such as walls;
- A generally high standard of care for buildings and landscapes;
- Proximity to the downtown, major institutions and the lake; and physical evidence and

historical associations with every stage of Kingston's history.

King Street Corridor sub-area:

- Views down to the lake across each cross street;
- Views of City Park;
- Surviving examples of historic landscape features such as stone walls; and
- Areas of archaeological potential and significance.

### 3.0 IMPACT ASSESSMENT

The shed is a 9 by 13 feet (2.7 by 3.9 metres) frame structure with gable roof (Figure 8). It is clad in painted fibre cement board (i.e., James Hardie board) and has a salvaged historic wooden casement window on the east elevation and a pair of glazed wooden French doors on the west elevation (Figure 9). In the spring of 2024, the shed roof will be finished in a standing seam metal roof to match the house.

The Old Sydenham HCD Plan does not contain specific policies for the location and design of accessory buildings as they are typically located in rear yards and have limited potential to impact the heritage character of the District. Therefore, the most relevant HCD Plan guidelines include those found in Section 5.2.2 Additions, which are broadly applicable. At approximately 117 square feet in area and 12 feet tall, the shed is clearly secondary in size to the one-and-a-half storey house behind and the adjacent stone outbuildings. Its painted fibre cement board siding is complementary to, but distinguishable from, the stucco finish on the house and the limestone masonry of the adjacent outbuildings.



Figure 8: East and south elevations of the newly constructed shed. (Heritage Studio, February 2024)



Figure 9: West elevation (facing the house) of the newly constructed shed. (Heritage Studio, February 2024)

The shed is technically located in the front yard (historically this was the rear yard of 5 Emily Street) which does not follow the guideline advising that additions be located away from the main street façade, and at the rear of the building. However, as previously described, Maitland’s streetscape does not have a consistent street façade of historic houses, but rather includes a collection of historic houses, outbuildings, and recreation facilities (i.e. the Kingston Yacht Club). The street’s development was incremental and not planned to form a visually coherent residential streetscape as is typical in the rest of the Old Sydenham HCD. Therefore, the convention of front and rear yards and traditional development patterns do not readily apply to this streetscape.

The shed’s location and orientation in the front yard obscures some views of the house but does not obscure views of the adjacent stone outbuildings, which are more visually prominent along the streetscape and in views north and south along Maitland Street. Moreover, the shed does not obscure any of the original openings (i.e. windows or arched opening) on the adjacent stone outbuilding to the north. The shed is not physically attached to the house or adjacent stone outbuildings, and therefore, did not entail the removal of any heritage attributes on the house or adjacent outbuildings. Importantly, the shed’s

construction did not cause any permanent changes to the house or adjacent stone outbuildings and can be considered a reversible<sup>1</sup> alteration.

Parks Canada’s Standards and Guidelines, like the Old Sydenham HCD Plan, do not contain specific policies relating to the location and design of small accessory buildings; however, Section 4.1.5, which addresses Visual Relationships within the Guidelines for Cultural Heritage Landscapes, includes a guideline for additions or alterations to a cultural landscape. The guideline recommends “designing a new feature when required by a new use that respects the historic visual relationships in the cultural heritage landscape. This can include matching established proportions and densities, such as maintaining the overall ratio of open space to building mass in an urban heritage district when designing an infill building.” Within the context of the Maitland streetscape, there is a visual relationship between the outbuildings and houses that reflects its incremental development and historic ‘back of house’ use. The location and design of the new shed complements, rather than disrupts, this character. The shed’s simple and traditional design, which is compatible with the surrounding historic environment, sits comfortably alongside the adjacent stone outbuildings and recently rehabilitated house.

The following table provides an assessment of the shed using the list of potential negative impacts identified in the Ontario Heritage Tool Kit, which was produced by the former Ministry of Tourism, Culture and Sport. In summary, no adverse impacts to the property or Old Sydenham HCD were identified through this impact assessment.

| Potential Negative Impact   | Assessment  |
|---|---|
| Destruction of any, or any part of, significant heritage attributes or features                 | <b>None.</b>  |
| Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance | <b>None.</b> The scale and design of the shed is compatible with the heritage character of the property and of the surrounding Maitland streetscape. The shed’s front yard location is atypical of the pattern of development in the Old Sydenham HCD (one other example includes 155 King Street East) but is consistent with the historic development and character of Maitland Street. |

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<sup>1</sup> Reversible interventions are those that can be removed at a later date without damaging the character-defining elements of the historic place. (Parks Canada’s Standards & Guidelines)

|   |   |
|---|---|
| Shadows created that alter the appearance of a heritage attribute, or change the viability of a natural feature or plantings, such as a garden        | <b>None.</b>  |
| Isolation of a heritage attribute from its surrounding environment, context or a significant relationship   | <b>None.</b> The one-and-a-half storey house continues to be the primary focal point on the property. The shed’s design is compatible with the character of the existing house, and as a result, the property continues to contribute to the heritage character of Maitland Street and to the Old Sydenham HCD more broadly.  |
| Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features  | <b>None.</b> Significant views include those north and south along Maitland Street to City Park and Lake Ontario, which are identified as heritage attributes of the Old Sydenham HCD and of the King Street Corridor sub-area.<br><br>The shed is set well back from the street edge, thereby maintaining the prominence of the two adjacent stone outbuildings, which frame views looking north towards City Park and south towards Lake Ontario. |
| A change in land use such as a battlefield from open space to residential use, allowing new development or site alteration in the formerly open space | <b>None.</b> The shed supports the continued residential use of the property.   |
| Land disturbance such as a change in grade that alters soils, and drainage patterns that adversely impact archaeological resources.                   | <b>None.</b> The shed sits on a gravel base and does not have a foundation.   |

#### 4.0 CONCLUSION & OPINION

Locating an accessory building, such as a shed, in the front yard of a property is generally inconsistent with the character of streetscapes in the Old Sydenham HCD. However, Maitland Street’s pattern of development and heritage character is atypical of the District, and in this instance, the location and design of the new shed at 28 Maitland Street, is compatible with the heritage character of the property and of Maitland Street. 28 Maitland Street has a very shallow rear yard and no side yard, and consequently there is no location to construct a shed

outside of public view. Moreover, the house (former stable/garage) does not have a basement. Acknowledging that all residents require storage space for tools, sports equipment, bicycles, shovels, etc., the construction of a small, well-designed, shed in the front yard is a reasonable component of the property's rehabilitation<sup>2</sup>.

In my professional opinion, the recently constructed shed has a neutral impact on the cultural heritage value and attributes of the Old Sydenham HCD, and therefore, its construction is consistent with the goal for Built Heritage Resources in Section 7.1 of the City of Kingston's Official Plan, which is "to 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" and is consistent with Policy 2.6.1 "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." of the 2020 Provincial Policy Statement.

Please contact me should you require any further details or wish to discuss the contents of this letter.

Sincerely,



Alex Rowse-Thompson MCIP RPP CAHP  
Principal, Heritage Studio

---

<sup>2</sup> *Rehabilitation* involves the sensitive adaptation of an historic place or individual component for a continuing or compatible contemporary use, while protecting its heritage value.

Appendix 1: Photographic Documentation (Heritage Studio site visit - February 14, 2024)



Looking south along Maitland Street to Lake Ontario.



Looking southwest along Maitland Street to Lake Ontario.



Looking west towards the property with shed and house behind, and two large stone outbuildings flanking the property.



Looking north towards the east elevation of the shed and the south elevation of the adjacent stone outbuilding.





Looking northwest towards the shed with house and adjacent outbuilding in the background.



Looking east from the house towards the shed and Maitland Street.



South elevation of the house (looking west towards rear lot line), and rear or west elevation of the house (looking north).

Appendix 2: Property Inventory Form (28 Maitland Street)

Property Inventory Evaluation – Maitland Street

**28 Maitland Street**

**Built: 1904-08**

**Rating: C**



A brick building with this footprint first appears in the 1908 fire insurance map. It is not present on the 1892 fire insurance map, updated in 1904. It has since been clad with clapboard-style siding, but its mansard roof is original. The building is set-back from Maitland Street, but is readily visible from the car park north of 16 Maitland Street.

This structure's low massing, mansard roof, its rectangular openings, and 2-tiered façade contribute to the heritage character of this area.

# Kingston Heritage Properties Committee

## Summary of Input from Technical Review Process

**P18-018-2024**

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



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Canada, K7L 2Z3

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TTY: Dial 613-546-4889

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|                   |   |
|-------------------|---|
| Date:             | March 1, 2024                               |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Ann Stevens                                 |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-018-2024</a>                |
| Property Address: | 28 MAITLAND ST                              |

---

#### Description of Proposal:

The subject property is located on the south-west side of the street and designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District. Following a misunderstanding, the owners have constructed a 9' by 13' (2.7 metre by 3.9 metre) detached storage building (shed) on the property without prior Heritage Act approval. They are seeking to rectify this by requesting heritage approval for this largely-completed structure. The new shed will be 12 feet (3.7 metres) tall, with a gable roof (to be clad in standing steel roofing) and clad in painted fibre cement board. A salvaged wooden casement window is installed on the east elevation and a pair of glazed wooden French doors are on the west elevation. A minor variance application will also be required to permit the location of the shed. A conceptual site plan, prepared by the owner, and a detailed Heritage Review letter, prepared by Heritage Studio, were submitted in support of this application.

#### Comments for Consideration on the Application:

It is unfortunate that there was a misunderstanding about the approvals for this structure. After reviewing the information from the applicant and their heritage reviewer, the shed has been built sensitive to its surroundings. The 'back lot shed' is actually retaining the area's historical use as utility buildings from the estate house on King Street.

#### Recommended Conditions for the Application:

Meeting all requirements set by the Heritage staff and pertinent Heritage legislation.



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---

|                   |   |
|-------------------|---|
| Date:             | March 12, 2024                              |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Peter Gower                                 |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-018-2024</a>                |
| Property Address: | 28 MAITLAND ST                              |

---

#### Description of Proposal:

The subject property is located on the south-west side of the street and designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District. Following a misunderstanding, the owners have constructed a 9' by 13' (2.7 metre by 3.9 metre) detached storage building (shed) on the property without prior Heritage Act approval. They are seeking to rectify this by requesting heritage approval for this largely-completed structure. The new shed will be 12 feet (3.7 metres) tall, with a gable roof (to be clad in standing steel roofing) and clad in painted fibre cement board. A salvaged wooden casement window is installed on the east elevation and a pair of glazed wooden French doors are on the west elevation. A minor variance application will also be required to permit the location of the shed. A conceptual site plan, prepared by the owner, and a detailed Heritage Review letter, prepared by Heritage Studio, were submitted in support of this application.

#### Comments for Consideration on the Application:

In view of the location of the house (an Emily Street backyard!), the uniqueness of Maitland Street, and the design of the storage building, I have no concerns with what we are asked to approve.

#### Recommended Conditions for the Application:

The applicants may want to consider some plantings between the storage building and the street to further lessen its impact. Staff should also check that the roof has been upgraded by the end of 2024.



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---

|                   |   |
|-------------------|---|
| Date:             | March 13, 2024                              |
| Form:             | Heritage Properties Committee Reviewer Form |
| Reviewer Name:    | Jane McFarlane                              |
| Application Type: | Heritage Permit                             |
| File Number:      | <a href="#">P18-018-2024</a>                |
| Property Address: | 28 MAITLAND ST                              |

---

#### Description of Proposal:

The subject property is located on the south-west side of the street and designated under Part V of the *Ontario Heritage Act* as part of the Old Sydenham Heritage Conservation District. Following a misunderstanding, the owners have constructed a 9' by 13' (2.7 metre by 3.9 metre) detached storage building (shed) on the property without prior Heritage Act approval. They are seeking to rectify this by requesting heritage approval for this largely-completed structure. The new shed will be 12 feet (3.7 metres) tall, with a gable roof (to be clad in standing steel roofing) and clad in painted fibre cement board. A salvaged wooden casement window is installed on the east elevation and a pair of glazed wooden French doors are on the west elevation. A minor variance application will also be required to permit the location of the shed. A conceptual site plan, prepared by the owner, and a detailed Heritage Review letter, prepared by Heritage Studio, were submitted in support of this application.

#### Comments for Consideration on the Application:

It is unfortunate that this project has been completed prior to Heritage approval. However, the shed is relatively small, heritage appropriate and sympathetic to the property and as such is supportable. On the rear of the building, the option of two-over-two windows or even one-over-one could be considered and simplify the look.

**Summary of Final Comments at the April 17, 2024 Heritage Properties Committee Meeting**

[To be added following the meeting.]





**City of Kingston  
Report to Kingston Heritage Properties Committee  
Report Number HP-24-018**

---

**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:** April 17, 2024

**Subject:** Notice of Intention to Designate under the *Ontario Heritage Act*

**Addresses:** 1553 Sunnyside Road, 265 King Street East, 275 King Street East, 2785 Lee Road, 375 Maple Ridge Drive, 730 Hillview Road, 149 Brock Street, 161 Brock Street, 163 Brock Street, 319 & 321 King Street West, and 347 Wellington Street

**File Numbers:** R01-019-2024, R01-020-2024, R01-021-2024, R01-022-2024, R01-023-2024, R01-024-2024, R01-009-2020, R01-010-2020, R01-025-2024, R01-026-2022, R01-027-2024 and R01-028-2024.

---

**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.

April 17, 2024

Page 2 of 10

This report provides background information regarding the evaluation of twelve (12) properties to determine their cultural heritage value and interest. The properties at 1553 Sunnyside Road, 265 King Street East, 275 King Street East, 2785 Lee Road, 375 Maple Ridge Drive, 730 Hillview Road, 149 Brock Street, 161 Brock Street, 163 Brock Street, 319 King Street West, 321 King Street West and 347 Wellington Street were found to exceed the threshold established by the Province of Ontario for Designation under Part IV of the *Ontario Heritage Act*.

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 March 27, 2024, hosted by Heritage Planning staff. One letter of concern was provided by the owner of 163 Brock Street. 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 1553 Sunnyside Road, known as the Fairbanks 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-24-018; 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 1553 Sunnyside Road, attached as Exhibit B to Report Number HP-24-018, 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 265 King Street East, known as Dr. Connell/Pilot House 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-24-018; 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 265 King Street East, attached as Exhibit C to Report Number HP-24-018, 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

April 17, 2024

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**That** Council direct staff to serve a Notice of Intention to Designate the property located at 275 King Street East, known as the Wire Works 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-24-018; 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 275 King Street East, attached as Exhibit D to Report Number HP-24-018, 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 2785 Lee Road, 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-24-018; 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 2785 Lee Road, attached as Exhibit E to Report Number HP-24-018, 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 375 Maple Ridge Drive, known as the Carolan 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-24-018; 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 375 Maple Ridge Drive, attached as Exhibit F to Report Number HP-24-018, 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 730 Hillview Road, known as the John Grass Jr. 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-24-018; 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 730 Hillview Road, attached as Exhibit G to Report Number HP-24-018, 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 149 Brock Street, known as the McKay Fur House, as a

April 17, 2024

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property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-018; 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 149 Brock Street, attached as Exhibit H to Report Number HP-24-018, 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 161 Brock Street, known as the Norris 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-24-018; 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 161 Brock Street, attached as Exhibit I to Report Number HP-24-018, 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 163 Brock Street, known as the Dupuis 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-24-018; 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 163 Brock Street, attached as Exhibit J to Report Number HP-24-018, 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 319 King Street West, 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-24-018; 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 319 King Street West, attached as Exhibit K to Report Number HP-24-018, 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 321 King Street West, 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-24-018; and

April 17, 2024

Page 5 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 of Intention to Designate, the Designation By-Law for 321 King Street West, attached as Exhibit K to Report Number HP-24-018, 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 347 Wellington Street, known as the Davis Dry Dock, 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-24-018; 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 347 Wellington Street, attached as Exhibit L to Report Number HP-24-018 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.



April 17, 2024

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**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:

- 1553 Sunnyside Road, known as the Fairbank Farmhouse (R01-019-2024);
- 265 King Street East, known as Connell Building (R01-020-2024);
- 275 King Street East, known as the Wire Works Building (R01-021-2024);
- 2785 Lee Road (R01-022-2024);
- 375 Maple Ridge Drive, known as the Carolan Farmhouse (R01-023-2024);
- 730 Hillview Road, known as the John Grass Jr. House (R01-024-2024);
- 149 Brock Street, known as the McKay Fur House (R01-025-2024);
- 161 Brock Street, known as the Norris House (R01-009-2020);
- 163 Brock Street, known as the Dupuis House (R01-010-2020);
- 319 & 321 King Street West (R01-026-2024 & R01-027-2024); and
- 347 Wellington Street, known as the Davis Dry Dock (R01-028-2024).

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

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.

**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 of the *Ontario Heritage Act* on the property owner(s) and the Ontario Heritage Trust and publish a notice in the

April 17, 2024

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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 265 and 275 King Street East, and 319 and 321 King Street West in 2010. The remainder of the subject properties 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.

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 March 12, 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 March 27, 2024, hosted by Heritage Planning staff, in the Heritage Resource Centre at City Hall. Seven property owners and one member 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,



April 17, 2024

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feedback received from the owners is considered and added to the draft by-laws as appropriate. At the time of writing this report, staff received one written objection from the owner of 163 Brock Street (see Exhibit N).

## 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, 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)

City of Kingston Official Plan

## Notice Provisions

Notice of Intention to Designate 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

April 17, 2024

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**Exhibits Attached:**

- Exhibit A Notice of Intention to Designate
- Exhibit B Draft Designation By-Law – 1553 Sunnyside Road
- Exhibit C Draft Designation By-Law – 265 King Street East
- Exhibit D Draft Designation By-Law – 275 King Street East
- Exhibit E Draft Designation By-Law – 2785 Lee Road
- Exhibit F Draft Designation By-Law – 375 Maple Ridge Drive
- Exhibit G Draft Designation By-Law – 730 Hillview Road
- Exhibit H Draft Designation By-Law – 149 Brock Stret
- Exhibit I Draft Designation By-Law – 161 Brock Street
- Exhibit J Draft Designation By-Law – 163 Brock Street
- Exhibit K Draft Designation By-Law – 319 and 321 King Street West
- Exhibit L Draft Designation By-Law – 347 Wellington Street
- Exhibit M Property Photographs
- Exhibit N Letter of Concern – 163 Brock Street

-- Website Version--

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

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

**1553 Sunnyside Road** (Part Lot 21 Con 4 Kingston Part 2, 4 & 6 13R5186; S/T TKZ18724; City of Kingston, County of Frontenac), known as the Fairbanks Farmhouse;

The Fairbanks Farmhouse is situated on the northwest side of the road, in the former Township of Kingston, now part of the City of Kingston. This 0.5-hectare rural property contains a one-and-a-half storey Ontario vernacular limestone farmhouse contracted circa 1840 for Caleb and Nancy Fairbanks. The Fairbanks Farmhouse is a rare example of an early 19th century one-and-a-half storey Georgian influenced vernacular bank house (a house built into a hill) with an asymmetrical front façade that does not face the road. Typical of the Georgian architecture style, the building has a low-pitch side gable roof with a central medium-pitch gable topped with twin red brick chimneys at the roof ridge. The entranceway, which is slightly off set from centre, is flanked by pairs of rectangular window openings with stone sills. The roughly coursed, randomly cut stones and lack of architectural embellishments are indicative of the rural, vernacular nature of this building's construction. The Fairbanks Farmhouse, however, is unusually large for an early vernacular farmhouse, with two extra bays on its primary elevation. It is also a rare example of a 19th century stone farmhouse built into a hill – bank house. The Fairbanks Farmhouse is associated with long time owners and local farming family, the Fairbanks. With its size, limestone construction and presence on Sunnyside Road, the Fairbanks House 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 house built partially into a hill, its side gable roof with central medium-pitch gable, original openings and asymmetrical five-bay front facade.

**265 King Street East** (Part Lot 87 Original Survey Kingston City as in FR365246; S/T FR365246; City of Kingston, County of Frontenac), known as the Connell Building:

The Connell Building is located on the northeast corner of the intersection of King Street East and Johnson Street, in the City of Kingston. This 125 square metre property contains a one-storey brick commercial building, constructed between 1896-1897 for Dr. James Connell's office and clinic. The Connell Building has design value as a rare example of the Classical Revival style applied to a small brick commercial building in downtown Kingston. Its Classical Revival style is expressed through the

balance, symmetry and order of its primary façades, and the liberal application of Classical detailing.

The Connell building has associative value because it demonstrates the work of architectural firm, Power & Son, whose work is well-known and includes a variety of residential, commercial, industrial, and religious buildings, constructed in Kingston between 1872 and 1923. The design of the Connell Building demonstrates many of the characteristics of a Power design, including sensitivity to site (i.e., a prominent corner entrance with two primary façades successfully addressing King Street East and Johnson Street), attention to patterning using wall projection and recession (i.e. pilasters, brick banding, pediments) and the use of pronounced surrounds on openings (i.e., raised brick courses and keystone over window and door openings).

The Connell building is also associated with Dr. James Cameron Connell (1863-1947). The building was originally designed as a doctor's office and constructed in 1896-7 for Dr. Connell, where it became the first eye, ear, nose and throat specialist practice in the district and only the second in Canada. Dr. Connell began teaching medicine at Queen's in 1891 and was appointed Dean of the Faculty of Medicine in 1903. In 1925, as President of the Board of the Kingston Health Association, he facilitated the opening of the Douglas Wing and Richardson Laboratories at KGH and established the Mowat Sanatorium for the treatment of tuberculosis in Portsmouth Village. This property has contextual value because it is historically linked to its surroundings as one of the last remaining historic commercial buildings, along with 275 King Street East, on the east side of the street in the block of King Street East between Clarence and Johnson Streets. The Connell Building's heritage attributes include the one-storey brick building, with its original window openings and various brick, stone, wooden and terracotta architectural detailing.

**275 King Street East** (Part Lot 64 Original Survey Kingston City; Part Lot 87 Original Survey Kingston City; Part 2 13R822; T/W FR693675; City of Kingston, County of Frontenac), known as the Wire Works Building:

The Wire Works Building is located on the east side of King Street East between Clarence and Johnson Streets, in the City of Kingston. This 208 square metre property contains a two-storey red brick commercial building with flat roof, constructed circa 1895. The property has design value as an interesting example of late Victorian commercial architecture. The strong vertical emphasis in its massing and proportions, and decorative brickwork are characteristic of Victorian commercial architecture, while the overall robustness and simplicity of the composition reflects a shift into 20th century architectural styles. The building exhibits a diverse collection of decorative brickwork, including a dentilled cornice on the parapet wall, raised brick string courses connecting the second-floor window openings, herringbone panels above the second-floor windows in the side bays, and a recessed brick panel underneath the ground floor storefront window. The only asymmetrical elements on the building are found on the storefront, where the wood cornice (now clad in copper), with modillions, dentils, and plain frieze, extends over the storefront entrance and window, and not over the secondary entrance to the upper floor,

demarcating the storefront. The property has historical value for its original use as a “wire works,” by Crescent Wire Works. Owned by Francis W. Partridge, Crescent Wire Works was advertised as a manufacturer of all kinds of wire work, including wire trellis for verandahs, cemetery, and garden arches; flower stands; fencing; and office, bank counter and steamboat railings. The property has contextual value because it is historically linked to its surroundings as one of the last remaining historic commercial buildings, along with 265 King Street East, on the east side of the block of King Street East between Clarence and Johnson Streets. Its heritage attributes include the two-storey brick building with its original openings and decorative brick detailing.

**2785 Lee Road** (Part Lot 7-8 Con 7 Kingston as in FR201027 & FR206995 Lying East of FR572023 except FR206996 & FR261437; Description may not be acceptable in future as in FR201027; S/T the Rights of Owners of Adjoining Parcels, if any, under FR261437 & FR727675; S/T TKY17537; City of Kingston, County of Frontenac):

The subject property is situated on the south side of the road near the terminus of Babcock Road, in the former Township of Kingston, now City of Kingston. The 40.2-hectare rural property contains a one-and-a-half storey limestone farmhouse with various additions, built around 1880, possibly for farmer James F. Knapp who owned the property from 1876 into the early 20th century. The property includes a rare example of a late-19th century one-and-a-half storey, Ontario vernacular limestone farmhouse with its main entrance located on the gable end. This placement of the entryway is atypical as Ontario vernacular farmhouses are overwhelmingly designed with a symmetrical facade with central entrance flanked by large rectangular window openings. Common for this Georgian-influenced Ontario vernacular style of house is the medium-pitched gable roof and regular arrangement of rectangular window openings found throughout the building. The high degree of craftsmanship of the dwelling is evident in the exceptional quality of the masonry on the main house, which is squared, dressed and laid in even courses of uniform stone that continue up the large chimney above the front wall. This craftsmanship is also evident in the tall radiating stone voussoirs that top all the doors and window openings of the main house, as well as the stone sills. The oversized entrance is emphasized by a deeply recessed paneled surround with transom window above and flanking sidelights. 2785 Lee Road has contextual value as its simple vernacular design, integrity, limestone construction, unpaved circulation routes, barn-board agricultural buildings and the proximity of these features to the road, supports and maintains the scenic and historic rural character of the road. Its heritage attributes include the one-and-a-half storey limestone farmhouse, with recessed main entrance, original fenestration pattern, one storey western wing with further one storey addition, and the various wooden agricultural outbuildings.

**375 Maple Ridge Drive** (Part Lot 4, Plan 682, Parts 4, 5 & 6, 13R18691; S/T Easement in Favour of the Municipal Corporation of the Township of Kingston over Part 4, 13R18691 as in FR88315; City of Kingston, County of Frontenac), known as the Carolan Farmhouse:

The Carolan Farmhouse is located on the southwest side of the street, just west of the intersection with Bath Road, in the former Township of Kingston, now part of the City of Kingston. This 0.4-hectare residential property contains a one-and-a-half storey L-shaped Ontario vernacular limestone farmhouse contracted circa 1851 for Cornelius and Jane Carolan (Caroline). The Carolan Farmhouse is a representative example of a mid-19th century, 'L'-shaped limestone farmhouse, built on a high point of land overlooking the water. The house's main entrance faces Bath Road and is located on a slight rise facing Lake Ontario. The house's simple vernacular architecture is expressed by its restrained profile, uncoursed limestone and symmetrical front façade. However, various embellishments point to a high degree of craftsmanship and artistic effort and are somewhat unusual in a vernacular farmhouse of this era. The cross-gable roof, for example, features two tall grey-brick chimneys with decorative banding and dentils. The oversized main entranceway and window openings feature segmental arches with stone voussoirs and sills. The main entrance includes a large transom and quoining; there are also stone quoins at the building corners. The gable end has a dramatic half-round arched window opening in the peak, with stone voussoirs and sill. The Carolan Farmhouse is associated with the Carolan family who owned the property for over 100 years. The property was purchased by Cornelius Carolan (also noted as Caroline in several places) in 1835 from George Okill Stewart. Carolan was an Irish Catholic farmer who initially lived in a log home on the property with his wife Jane and daughters Bridgett, Grace Ann and Eliza. Carolan was elected as Road Master in 1835. The stone farmhouse replaced the log house around 1851. The property passed to daughter Grace Ann Carolan in May 1872. Grace Ann Carolan married Peter Nugent in June 1872, and they remained at the farmhouse into the 20th century. Its heritage attributes include the one-and-a-half-storey L-shaped limestone farmhouse with cross-gable roof, tall brick chimneys, symmetrical front façade with segmentally-arched oversized openings, quoining, large transom and sidelights framing the main entrance and half-round arched window opening in peak of gable.

**730 Hillview Road** (Part Lot 2 Con 2 Kingston as in FR642683; City of Kingston, County of Frontenac), known as the John Grass Jr. House:

The John Grass Jr. House property is situated on the north side of the road, just west of Mona Drive and east of John Grass Creek Park, in the former Township of Kingston, now the City of Kingston. The approximately 1800 square metre thru-lot, with secondary frontage onto High Gate Park Drive, contains a two-storey Regency style former farmhouse, constructed in the late 19th century. The John Grass Jr. House is a rare example of a 19th century Regency style farmhouse in the Collins Bay area of Kingston's west end. The two-storey house exhibits a Regency architectural style through its simple, functional design with modest ornamentation. The square-plan structure is constructed of red bricks with a pitch-faced limestone foundation and topped by a steeply pitched hip roof in the typical Regency style. The second floor and eastern elevation retains the original pattern of openings that exemplify the Regency style, including a central arched window opening, flanked by large rectangular openings. The John Grass Jr. House is associated with the Grass

family and particularly John Grass Jr who built the house in the late 1800s. John Grass Jr. was born on the property in 1810, when only a single storey framed building existed. He was a well-known local figure in the Collins Bay area. "Old Uncle John" was described in his obituary as "a kindly spirit" and "while frugal [was] honorable, hospitable and public spirited." He died in his home, where he lived his entire life, in 1893 at the age of 82. The large, naturalized area immediately adjacent the house to the west, that stretches from the northern headwaters of Collins Bay north to Prince Charles Drive is named John Grass Creek Park in his honour. The John Grass Jr. House is a prominent house located at the northern tip of Collins Bay in a settlement area historically (and currently) known as Collins Bay. Together with the two former Methodist church buildings (now residences) at 692 and 704 Hillview Road and the large natural area named for John Grass, the John Grass Jr. House is a defining property in this historic community. The two-storey Regency former farmhouse offers a rare example of this form in this area. Its distinctive architecture, size, brick construction, siting on the property, and location along Hillview Road, across from W.C. Warnica Memorial Park, make it a landmark in the area. Its heritage attributes include the one-and-a-half-storey brick house with limestone foundation, original window openings and hip roof.

**149 Brock Street** (Part Lot 1 N/S Brock St Plan Selma Subdivision Kingston City Part 2 13R2296; S/T interest in FR689524; City of Kingston, County of Frontenac), known as the McKay Fur House:

The McKay Fur House is located on the north side of the road, mid-block between Montreal and Bagot streets in downtown Kingston. The approximately 250 square metre property includes a two-storey red-brick commercial building constructed circa 1907 for the J. McKay Furrier business. The McKay Fur House is an example of an early 20th century commercial building built as the showroom and business office for a growing furrier business in downtown Kingston. The McKay Fur House was built of red brick with five dramatic semi-circular window openings with decorative hood molds and stone sills, each containing an arched and multi-paned window. The entire building is topped with a flat roofline decorated with an entablature. The entablature features an elaborate cornice and dentils with a stepped centre section, which adds to the grandeur of the building. The McKay Fur House is associated with John McKay who operated a leather, hides and furrier business. It is believed that the business began on the subject property in an earlier building. Eventually the business grew, expanding into 153 and 155 Brock Street and requiring the demolition of the original building and the construction of the new McKay Fur House building around 1907. The subject property became the location of the showrooms and order department, while the adjacent 153 and 155 Brock Street served as the factory and wholesale department. McKay's Fur House operated in this building until the 1960s. The McKay Fur House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal streets. The street displays many early commercial buildings in the City of Kingston. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half storeys and the construction materials include red-brick, wood frame and

limestone. With its shallow setback, grand appearance and two storey height, red-brick construction, and location close to the lot lines, the McKay Fur House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street as John McKay's business operated in both buildings for the first half of the 20th century. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street. The McKay Fur House is historically linked to the area, as a part of the various fur businesses in this part of the city in the late 19th and early 20th centuries. The heritage attributes include the two storey red-brick building, with its five second floor semi-circular window openings with decorative hood moulds, topped by a decorative entablature.

**161 Brock Street** (Part Lot 2 N/S Brock St Plan Selma Subdivision Kingston City as in FR486361; T/W FR718826, City of Kingston, County of Frontenac), known as the Norris House:

The Norris House is situated on the north side of the road, just east of the intersection of Montreal and Brock Streets in downtown Kingston. The approximately 163 square metre property includes a one-and-a-half storey wood frame residential building constructed in 1842-3. The Norris House has physical and design value as a rare example of a wood frame dwelling in downtown Kingston. Following a number of devastating fires, in 1847 Kingston City Council passed a by-law to prohibit the erection of wooden buildings "in the thickly-built parts of the City". This one-and-a-half storey wood frame former dwelling represents one of only a few remaining examples in the downtown area. While it has undergone several unsympathetic changes, particularly the Angel Stone veneer, its basic one-and-a-half storey massing and gabled roofed profile remain obvious. The original recessed central entranceway with transom and wooden paneled reveals is still extant. The property is of historical/associative value due to its association with carpenter Benjamin Norris, who constructed this modest house for he and his wife Elizabeth. The 1851 census notes Benjamin and Elizabeth Norris living in the frame house with their children Mary, Catherine, twins John and William, and James. After Benjamin's death, Elizabeth operated an inn from the Norris House. The property was eventually converted to a commercial property by the mid-late 20th century and has continued to function as such to the present day. The Norris House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal streets. The street displays many early commercial buildings in the City of Kingston. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half stories and the construction materials include red-brick, wood frame and limestone. With its shallow setback, modest appearance, wood frame construction, and location close to the lot lines, the Norris House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street. Its heritage attributes include the one-and-a-half



storey wood frame dwelling with gable roof and gable dormers, brick chimney and symmetrical façade with original main entrance.

**163 Brock Street** (Part Lots 31-32 Plan D18 & Part Lot 2, N/S Brock St, Plan Selma Kingston City, Part 1, 13R6984; City of Kingston, County of Frontenac), known as the Dupuis House:

The Dupuis House is located on the north side of the road, at the northeast corner of Montreal and Brock Streets in downtown Kingston. The approximately 300 square metre property includes of a two-and-a-half storey, red-brick residential building constructed for Dr. Thomas Dupuis circa 1883. The Dupuis House is an example of a vernacular brick building with prominent Italianate influences and constructed for use as both a home and office. Typical of this style is the symmetrical façade with projecting frontispiece, large projecting eaves and segmentally arched window openings. The gable on the façade, with eave returns, paired segmentally arched windows topped by voussoirs and decorative brackets add to the Italianate expression of this building. The building's use as a residence and offices can be seen in the decorative details being carried onto the eastern elevation, and an entrance to the rear portion of the building. The property is of historical/associative value through its association with Dr. Thomas R. Dupuis. The property functioned as both his residence and medical office. The office was located in the rear section of the building (historic address of 7 Montreal Street). Dupuis studied medicine at Queen's College (now Queen's University) graduating in 1860. He practiced medicine at Harrowsmith and Odessa before moving to Kingston in 1872. He was a physician and surgeon at the Kingston Hospital beginning in 1874. While in Kingston he made a significant mark by becoming a professor of Anatomy at Queen's, a lecturer of clinical surgery in 1880 at Queen's, and was involved in the establishment of the Cataraqui Medical Society (now the Kingston Medical Society). He served as alderman in Kingston from 1874–1880 and 1882. The property continued to function as a doctor's office and residence following Dupuis' death from cholera in 1893. The Dupuis House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal streets, which retains several nineteenth-century commercial buildings. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half stories and the construction materials include red-brick, wood frame and limestone. With its shallow setback, grand appearance, red-brick construction, and prominent corner location, the Dupuis House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street and the brick building at 149 Brock Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street. Its heritage attributes include the two-and-a-half storey red-brick building with complex roof, symmetrical façade with original openings, various architectural detailing and limestone foundation.

**319 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR639441 Except the Easement therein; City of Kingston, County of Frontenac); and

**321 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR226735 Except the Easement therein; City of Kingston, County of Frontenac):

The subject property, which spans two separate properties, is located on the north side of the street, at the northeast corner with Centre Street, in the City of Kingston. The approximately 280 and 318 square metre properties include a two-and-a-half storey duplex that completes the stucco-clad 1841 stone row houses known as Hales Cottages. The two-unit building was constructed around 1893 to replace the western-most Cottage that was partially lost to fire. The subject property is a unique example of an infill building from the late 19<sup>th</sup> century that took inspiration, if not its partial form, from the adjacent row in its design.

Although the general impression is wood frame with yellow stucco and wood cladding, there are many visual vestiges of the original 1841 design, including its location in line with the row, the rhythm and consistent shape of window and door openings, particularly in the three eastern bays, and its limestone foundation and tall wide brick chimney shared with 317. Both buildings have arched transom windows over their main entrances, though 319 King is setback and includes flanking side lights that match those in the original row. Each unit has a main floor Wyatt style window, which, though likely not original, reflects those on the other Hales Cottages. The subject property sets itself apart from the Hales Cottages row, however, with many distinguishing features that indicate its later construction date. As the evolution and expansion of the original 5-unit row of Hales Cottages, 319 and 321 King Street West are a significant part of the history of this important row of houses and are historically and visually linked to their neighbours to the east. This two-unit building contributes to the strong presence of early historic row housing at the corner of Centre Street and King Street West. With its consistent setback from the public right-of-way, architectural detailing, and stucco cladding, 319 and 321 King Street West support the historic character of the area. Its heritage attributes include the two-and-a-half storey building with gable roof, stucco cladding, original window and door openings and simple entrance porticos.

**347 Wellington Street** (Part Cataraqui Ordnance Water Lot Kingston Part 1, 13R9796 S/T FR393688; City of Kingston, County of Frontenac), known as the Davis Dry Dock:

The Davis Dry Dock property is situated on the east side of the street, just north of Bay Street in the inner harbour area of downtown Kingston. The approximately 3,800 square metre property includes a dry dock, originally constructed in 1878, and a one-and-a-half storey machine shop constructed around 1900. The Davis Dry Dock has physical and design value as a rare example of a still active and functional dry dock in Kingston. The dry dock is constructed of sheet metal with concrete sill and timbered bottom. The Davis Dry Dock has historical/associative value as an important (and still active) boat construction, repair and storage facility along the waterfront of Kingston inner harbour. It was founded by Robert Davis and his three sons: Mathew, a ship builder, John, the business manager, and George, a carpenter.

The company was established in 1867 in the French Harbour (behind Fort Frontenac), but it moved to this location on Wellington Street in 1887. In the late 1890s the location was the largest boat-building facility of its size on Lake Ontario. The Davis Dry Dock Company manufactured various types of vessels, including steam leisure yachts, yawls, and large steamers. Their most famous boat built was an Edwardian steamboat called the Phoebe, which is now found at the Portsmouth Olympic Harbour building in Kingston. The boat manufacturing use of the subject property is still in operation today and being run by MetalCraft Marine Inc. The Davis Dry Dock is located in Kingston's Inner Harbour. This location was the site of the first ship building on the Great Lakes by the French in 1679 and has been a key location of ship building since that time. The only other remaining dry dock in Kingston is a National Historic Site of Canada located on Ontario Street, known as the Kingston Dry Dock. The Davis Dry Dock is significant in defining the historic character of the area as a rare vestige of the City's nearly 350-year ship-building history. With its proximity to the inner harbour, the Kingston Marina and other historic industrial buildings, the Davis Dry Dock is historically and functionally linked to its surroundings. Its heritage attributes include the rectangular dry dock constructed of timber, steel and concrete.

**Additional information**, including a full description of the reasons for designation is available upon request from Ryan Leary, Senior Heritage Planner, Heritage Services at 613-546-4291, extension 3233, or at [rleary@cityofkingston.ca](mailto:rleary@cityofkingston.ca) during regular business hours, or by visiting the Development and Services Hub at [www.cityofkingston.ca/dash](http://www.cityofkingston.ca/dash).

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:

**1553 Sunnyside Road** (Part Lot 21 Con 4 Kingston Part 2, 4 & 6 13R5186; S/T TKZ18724; City of Kingston, County of Frontenac), known as the Fairbanks Farmhouse;

**265 King Street East** (Part Lot 87 Original Survey Kingston City as in FR365246; S/T FR365246; City of Kingston, County of Frontenac), known as the Connell Building;

**275 King Street East** (Part Lot 64 Original Survey Kingston City; Part Lot 87 Original Survey Kingston City; Part 2 13R822; T/W FR693675; City of Kingston, County of Frontenac), known as the Wire Works Building;

**2785 Lee Road** (Part Lot 7-8 Con 7 Kingston as in FR201027 & FR206995 Lying East of FR572023 except FR206996 & FR261437; Description may not be acceptable in future as in FR201027; S/T the Rights of Owners of Adjoining Parcels, if any, under FR261437 & FR727675; S/T TKY17537; City of Kingston, County of Frontenac);

**375 Maple Ridge Drive** (Part Lot 4, Plan 682, Parts 4, 5 & 6, 13R18691; S/T Easement in Favour of the Municipal Corporation of the Township of Kingston over Part 4, 13R18691 as in FR88315; City of Kingston, County of Frontenac), known as the Carolan Farmhouse;

**730 Hillview Road** (Part Lot 2 Con 2 Kingston as in FR642683; City of Kingston, County of Frontenac), known as the John Grass Jr. House;

**149 Brock Street** (Part Lot 1 N/S Brock St Plan Selma Subdivision Kingston City Part 2 13R2296; S/T interest in FR689524; City of Kingston, County of Frontenac), known as the McKay Fur House;

**161 Brock Street** (Part Lot 2 N/S Brock St Plan Selma Subdivision Kingston City as in FR486361; T/W FR718826, City of Kingston, County of Frontenac), known as the Norris House;

**163 Brock Street** (Part Lots 31-32 Plan D18 & Part Lot 2, N/S Brock St, Plan Selma Kingston City, Part 1, 13R6984; City of Kingston, County of Frontenac), known as the Dupuis House;

**319 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR639441 Except the Easement therein; City of Kingston, County of Frontenac);

**321 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR226735 Except the Easement therein; City of Kingston, County of Frontenac); and

**347 Wellington Street** (Part Cataraqui Ordnance Water Lot Kingston Part 1, 13R9796 S/T FR393688; City of Kingston, County of Frontenac), known as the Davis Dry Dock:

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

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

**Dated** at the City of Kingston

Janet Jaynes, City Clerk

This XXX day of XXX, 2024

City of Kingston

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

**A By-Law to Designate the property at 1553 Sunnyside 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Fairbanks Farmhouse at 1553 Sunnyside Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

City of Kingston By-Law Number 2024-XX

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**

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

Civic Address: 1553 Sunnyside Road  
Legal Description: Part Lot 21 Con 4 Kingston Part 2, 4 & 6 13R5186; S/T  
TKZ18724; City of Kingston, County of Frontenac  
Property Roll Number: 1011 080 250 05000

**Introduction and Description of Property**

The Fairbanks Farmhouse, located at 1553 Sunnyside Road, is situated on the northwest side of the road, in the former Township of Kingston, now part of the City of Kingston. This 0.5-hectare rural property contains a one-and-a-half storey Ontario vernacular limestone farmhouse constructed circa 1840 for Caleb and Nancy Fairbanks. A one-and-a-half storey detached outbuilding was added to the property in 2012.

**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 Fairbanks Farmhouse is a rare example of an early 19<sup>th</sup> century one-and-a-half storey Georgian influenced vernacular bank house (a house built into a hill) with an asymmetrical front façade that does not face the road. Typical of the Georgian architecture style, the building has a low-pitch side gable roof with a central medium-pitch gable topped with twin red brick chimneys at the roof ridge. The smaller gabled dormers were added in 2013. The entranceway, which is slightly off set from centre, is flanked by pairs of rectangular window openings with stone sills. A recent (2014) portico with a low-pitch gable roof columns, balustrade and spindles adorn the main entrance.

The house is constructed of limestone laid in even courses on the front façade and random courses on the side and rear elevations. The roughly coursed, randomly cut stones and lack of architectural embellishments are indicative of the rural, vernacular nature of this building’s construction. The Fairbanks Farmhouse, however, is unusually large for an early vernacular farmhouse, with two extra bays on its primary elevation. It is also a rare example of a 19<sup>th</sup> century stone farmhouse built into a hill – bank house. The east elevation includes a partial lower-level addition that provides access to the basement level via the south elevation, which features two full-size windows and a door.



*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 Fairbanks Farmhouse is associated with long time owners and local farming family, the Fairbanks. Caleb Fairbanks was born in Massachusetts in 1796 and fought on the American side during the War of 1812. His wife Nancy was born in New York state and is a descendant of United Empire Loyalists, including the well-known Powley family (Nancy's mother was Eizabeth Powley). They were married in 1814 and settled in the area in the early 19th century. Nancy received the deed to a 15-acre part of the lot in 1832. They built the stone house shortly thereafter. By 1851, the house was identified as a one-storey stone house. The Fairbanks were active farmers, growing wheat, peas, oats, buckwheat, corn, potatoes, and beans; producing hay, wool, fulled cloth, flannel, butter, cheese, and pork; and raising cows, horses, sheep, and pigs. Nancy and Caleb Fairbanks had 14 children. In the late 1850s, the Fairbanks acquired additional lands in the area. By 1861, it appears they had renovated/expanded the building to create a two-storey stone house. In 1862, Oliver Fairbanks, son of Caleb Fairbanks, obtained ownership. The property remained in the Fairbanks family, falling to Oliver Fairbanks Jr. in 1887 and to Isaac Fairbanks, who also obtained an additional 50 acres, in 1908. Members of the Fairbanks family are buried in the nearby Buck Cemetery.

*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 size, limestone construction, and presence on Sunnyside Road, the Fairbanks House 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 farmhouse built partially into a hill;
- Asymmetrical five-bay front façade with central entranceway;
- Original window and door openings featuring stone sills; and
- Low-pitch side gable roof with central medium-pitch gable and twin red brick chimneys.

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

**A By-Law to Designate the property at 265 King Street East to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

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

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

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Dr. Connell/Pilot House Building at 265 King Street East (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

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

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**Bryan Paterson**  
**Mayor**

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

Civic Address: 265 King Street East  
Legal Description: Part Lot 87 Original Survey Kingston City as in FR365246;  
S/T FR365246; City of Kingston, County of Frontenac  
Property Roll Number: 1011 010 120 09000

**Introduction and Description of Property**

The Connell Building at 265 King Street East, is located on the northeast corner of the intersection of King Street East and Johnson Street, on the block bound by King Street East, Clarence Street, Ontario Street and Johnson Street, in the City of Kingston. This 125 square metre property contains a one-storey brick commercial building, constructed between 1896-1897 for Dr. James Connell’s office and clinic.

**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 Connell Building has design value as a rare example of the Classical Revival style applied to a small brick commercial building in downtown Kingston. Its Classical Revival style is expressed through the balance, symmetry and order of its primary façades, and the liberal application of Classical detailing.

The building’s design successfully and effectively addresses its location at the northeast corner of King and Johnson Streets with two formal façades and a prominent corner entrance. The entrance is above grade and recessed within an arched opening framed by slender brick pilasters with a semi-circular arch and keystone. Above the entrance, and resting atop the parapet wall, is a decorative painted wooden motif. The design of the arched entrance opening is largely repeated on the secondary rear entrance on the south (Johnson Street) elevation. Each primary façade features a large three-centred arch window opening framed by pilasters and a pediment. The pediments are decorated with modillions and have returns that align with the pilasters below. The remnants of a box-like structure above each pediment suggests the presence of former decorative features. The south elevation (Johnson Street) is longer and includes two smaller semi-circular arched window openings symmetrically placed on either side of the large window. All the windows have been replaced and although the transoms survive, their transom lights have been filled in.

The primary façades and corner entrance are unified by a variety of horizontal design features, including the parapet wall with cornice, an entablature (i.e., architrave, frieze, cornice), and a slender cornice that aligns with the height of the transoms on the

windows. The Classical order is expressed through the framework of the pilasters, pediments, and full entablature. The pilasters reflect an eclectic classicism in that they do not belong to any of the Orders but are their own design. Other decorative classical detailing includes the modillions under the cornice and on the pilasters and the terracotta egg and dart decorative detailing on the pilasters' capitals and on the entrance keystone. Although painted over, the fine jointed and well-detailed brickwork is evident. It is possible that the brickwork is dichromatic to further emphasize the pattern of projection and recession on the façades.

*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 Connell building has associative value because it demonstrates the work of architectural firm, Power & Son, whose work is well-known, substantial, and innovative, and includes a variety of residential, commercial, industrial, and religious buildings, constructed in Kingston between 1872 and 1923. The design of the Connell Building demonstrates many of the characteristics of a Power design, including sensitivity to site (i.e., a prominent corner entrance with two primary façades successfully addressing King Street East and Johnson Street), attention to patterning using wall projection and recession (i.e., pilasters, brick banding, pediments) and the use of pronounced surrounds on openings (i.e., raised brick courses and keystone over window and door openings). Moreover, the cornice stepping in and out with the pilasters, and the horizontal brick banding, which gives the impression of stonework through its design and scale, demonstrates a keen attention to detail and understanding of Classical Revival architecture.

The Connell building is also associated with Dr. James Cameron Connell (1863-1947). The building was originally designed as a doctor's office and constructed in 1896-7 for Dr. Connell. James was born in Ayr, Ontario and attended Queen's University where he received his B.A., M.A. and doctorate in medicine, graduating in 1888. After postgraduate work in New York, he returned to Kingston where he opened the first eye, ear, nose and throat specialist practice in the district and only the second in Canada. Dr. Connell began teaching medicine at Queen's in 1891, which he would continue doing for the next 40 years. He was appointed Dean of the Faculty of Medicine in 1903. He was instrumental in integrating Queen's University and Kingston General Hospital (KGH) as a collaborative educational program. In 1925, as President of the Board of the Kingston Health Association, he facilitated the opening of the Douglas Wing and Richardson Laboratories at KGH and established the Mowat Sanatorium for the treatment of tuberculosis in Portsmouth Village. Dr. Connell would remain active in his field until 1937 when, at age 74, he retired.

The well-known local pub and seafood restaurant – The Pilot House - opened for business in 1981 and continues today with a seasonal patio presence along Johnson Street.

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

This property has contextual value because it is historically linked to its surroundings as one of the last remaining historic commercial buildings, along with 275 King Street East, on the east side of the street in the block of King Street East between Clarence and Johnson Streets. Collectively these two properties represent the beginning of the redevelopment of this block at the end of the 19<sup>th</sup> century and are important in supporting the historic commercial character of King Street East and downtown Kingston.

### **Heritage Attributes**

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

- One-storey massing with flat roof, concealed by parapet wall;
- Finely jointed brick masonry walls with horizontal banding;
- Original window openings with three-centred and semi-circular arches with keystones and limestone sills;
- Classical detailing, including pilasters, cornices, pediments, full entablature, and wooden modillions;
- Terracotta egg and dart decorative detailing on the pilasters' capitals and on the entrance keystone;
- Original door opening on corner entrance with semi-circular arch with keystone;
- Decorative painted wooden motif resting on parapet wall above the corner entrance;
- Original secondary entrance opening with original/early wood paneled door with semi-circular arch with keystone on south (Johnson Street) elevation; and
- Limestone foundation with chamfered ashlar base course.

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

**A By-Law to Designate the property at 275 King Street East to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

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

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

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Wire Works Building at 275 King Street East (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

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

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**Bryan Paterson**  
**Mayor**



**Schedule “A”**  
**Description and Criteria for Designation**  
**Wire Works Building**

Civic Address: 275 King Street East  
Legal Description: Part Lot 64 Original Survey Kingston City; Part Lot 87  
Original Survey Kingston City; Part 2 13R822; T/W  
FR693675; City of Kingston, County of Frontenac  
Property Roll Number: 1011 010 120 08800

**Introduction and Description of Property**

The Wire Works Building at 275 King Street East, is located on the east side of King Street East between Clarence and Johnson Streets, on the block bound by King Street East, Clarence Street, Ontario Street and Johnson Street, in the City of Kingston. This 208 square metre property contains a two-storey red brick commercial building with flat roof, constructed circa 1895.

**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 as an interesting example of late Victorian commercial architecture. Constructed circa 1895, the strong vertical emphasis in its massing and proportions, and decorative brickwork are characteristic of Victorian commercial architecture, while the overall robustness and simplicity of the composition reflects a shift into 20<sup>th</sup> century architectural styles. The façade is divided into three symmetrical bays, which are framed by brick pilasters and rest on an ashlar limestone foundation.

The door and window openings are original and symmetrically placed on the façade within the three bays. The ground floor includes two original entrance openings with transom lights: one for commercial use at grade and the other for residential use. This layout is characteristic of historic commercial buildings in downtown Kingston. Between the openings is a single large picture window with transom light and limestone sill. A pair of slender vertically sliding sash windows with pronounced segmental arches and limestone sills are located on the second floor and directly above the large picture window in the central bay. Larger rectangular window openings with vertically sliding sash windows with shallow segmental arches and limestone sills are located on either side in two narrower bays are. These windows align directly with each ground floor entrance below.

The building exhibits a diverse collection of decorative brickwork, including a dentilled cornice on the parapet wall, raised brick string courses connecting the second-floor window openings, herringbone panels above the second-floor windows in the side bays,

and a recessed brick panel underneath the ground floor storefront window. The only asymmetrical elements on the building are found on the storefront, where the wood cornice (now clad in copper), with modillions, dentils, and plain frieze, extends over the storefront entrance and window, and not over the secondary entrance to the upper floor, demarcating the storefront.

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

The property has historical value for its original use as a “wire works,” by Crescent Wire Works. Owned by Francis W. Partridge, Crescent Wire Works was advertised as a manufacturer of all kinds of wire work, including wire trellis for verandahs, cemetery, and garden arches; flower stands; fencing; and office, bank counter and steamboat railings. The property is not included in the 1893-94 and 1895-96 directories but is listed in the 1896-97 directory. These dates are corroborated by the announcement in the British Whig of August 1895 that Crescent Wire Works was “removed to 275 King Street, opposite St. George’s Cathedral”.

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

The property has contextual value because it is historically linked to its surroundings as one of the last remaining historic commercial buildings, along with 265 King Street East, on the east side of the block of King Street East between Clarence and Johnson Streets. Collectively these two properties represent the beginning of the redevelopment of this block at the end of the 19<sup>th</sup> century and are important in supporting the historic commercial character of King Street East and downtown Kingston.

## **Heritage Attributes**

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

- Two-storey massing, divided into three bays with flat roof concealed by parapet wall;
- Red brick masonry walls displaying a variety of decorative brick detailing, including herringbone panels, brick string courses, recessed panel, dentils and pilasters;
- Original door openings with transom lights on the ground floor;
- Original storefront, including large picture window with transom light and limestone sill and entrance, framed by original or period appropriate wooden cornice (now clad in copper) with modillions, dentils and frieze board;
- Original window openings on the second floor with segmental arches and limestone sills, including original or early vertically hung sliding sash windows (i.e. one-over-one patterning in the central bay and two-over-two patterning in the side bays); and
- Ashlar limestone foundation.

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

**A By-Law to Designate the property at 2785 Lee 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 2785 Lee Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

City of Kingston By-Law Number 2024-XX

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**

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

Civic Address: 2785 Lee Road  
Legal Description: Part Lot 7-8 Con 7 Kingston as in FR201027 & FR206995 Lying East of FR572023 except FR206996 & FR261437; Description may not be acceptable in future as in FR201027; S/T the Rights of Owners of Adjoining Parcels, if any, under FR261437 & FR727675; S/T TKY17537; City of Kingston, County of Frontenac  
Property Roll Number: 1011 080 240 19800

**Introduction and Description of Property**

The subject property, located at 2785 Lee Road, is situated on the south side of the road near the terminus of Babcock Road, in the former Township of Kingston, now City of Kingston. The 40.2-hectare rural property contains a one-and-a-half storey limestone farmhouse with various additions, built around 1880, possibly for farmer James F. Knapp who owned the property from 1876 into the early 20<sup>th</sup> century. A number of 20<sup>th</sup> century detached agricultural buildings are also present on the 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.*

2785 Lee Road is a rare example of a late-19<sup>th</sup> century one-and-a-half storey, Ontario vernacular limestone farmhouse with its main entrance located on the gable end. This placement of the entryway is atypical as Ontario vernacular farmhouses are overwhelmingly designed with a symmetrical facade with central entrance flanked by large rectangular window openings. This feature does not appear to be an alteration to a symmetrical design as there is no evidence of a former door located on the east or west elevations. This unique design makes this building a rare example of this style of Ontario vernacular house in the rural area of Kingston.

The current U-shaped floor plan is due to various additions around the building. The one-and-a-half-storey western wing and single-storey rear additions are constructed in a different manner from the main house (and possibly older). The western wing includes limestone laid in even courses, but in alternating wide and narrow courses of contrasting-coloured stones. The differing construction may indicate the wing is an earlier construction. Its small and non-symmetrical window opening may also point to an earlier construction date. There is a rear one storey wing off the western wing, which has a large entranceway on the west elevation of uncoursed limestone construction.

Common for this Georgian-influenced Ontario vernacular style of house is the medium-pitched gable roof and regular arrangement of rectangular window openings found throughout the building. Substantial stone chimneys are located at the northern gable end of the main house and the western gable end of the western wing. A small chimney is located centrally on the ridge of the main house and a fourth is located on the rear tail addition.

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

The high degree of craftsmanship of 2758 Lee Road is evident in the exceptional quality of the masonry on the main house, which is squared, dressed and laid in even courses of uniform stone that continue up the large chimney above the front wall. This craftsmanship is also evident in the tall radiating stone voussoirs that top all the doors and window openings of the main house, as well as the stone sills. The oversized entrance is emphasized by a deeply recessed paneled surround with transom window above and flanking sidelights.

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

2785 Lee Road has contextual value as its simple vernacular design, integrity, limestone construction, unpaved circulation routes, barn-board agricultural buildings and the proximity of these features to the road, supports and maintains the scenic and historic rural character of the road.

### **Heritage Attributes**

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

- One-and-a-half storey farmhouse constructed of dressed and squared limestone, laid in even courses, with an end-gable roof with four stone chimneys;
- Recessed entranceway with panelled surrounds, sidelights and transom, topped by radiating limestone voussoirs;
- One storey wing off the west elevation with gable roof, constructed of limestone laid in even courses with alternating bands of longer/narrow stones with shorter/wider stones and alternating colours;
- Original fenestration pattern of window openings with stone voussoirs and stone sills;
- One storey rear wing off the western wing, with gable roof and large entranceway; and
- Various wooded agricultural outbuildings.

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

**A By-Law to Designate the property at 375 Maple Ridge Drive 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Carolan Farmhouse at 375 Maple Ridge Drive (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

City of Kingston By-Law Number 2024-XX

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**



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

Civic Address: 375 Maple Ridge Drive  
Legal Description: Part Lot 4, Plan 682, Parts 4, 5 & 6, 13R18691; S/T Easement in Favour of the Municipal Corporation of the Township of Kingston over Part 4, 13R18691 as in FR88315; City of Kingston, County of Frontenac  
Property Roll Number: 1011 080 130 05400

**Introduction and Description of Property**

The Carolán Farmhouse, located at 375 Maple Ridge Drive, is situated on the southwest side of the street, just west of the intersection with Bath Road, in the former Township of Kingston, now part of the City of Kingston. This 0.4-hectare residential property contains a one-and-a-half storey L-shaped Ontario vernacular limestone farmhouse contracted circa 1851 for Cornelius and Jane Carolán (Caroline). A single storey rear addition was added to the building in 1994.

**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 Carolán Farmhouse is a representative example of a mid-19<sup>th</sup> century, ‘L’-shaped limestone farmhouse, built on a high point of land overlooking the water. The house’s main entrance faces Bath Road and is located on a slight rise facing Lake Ontario. Two stone pillars remain at the former entrance to the property along Bath Road.

The house’s simple vernacular architecture is expressed by its restrained profile, uncoursed limestone and symmetrical front façade. However, various embellishments point to a high degree of craftsmanship and artistic effort and are somewhat unusual in a vernacular farmhouse of this era. The cross-gable roof, for example, features two tall grey-brick chimneys with decorative banding and dentils. The oversized main entranceway and window openings feature segmental arches with stone voussoirs and sills. The main entrance includes a large transom and quoining; there are also stone quoins at the building corners. The gable end has a dramatic half-round arched window

opening in the peak, with stone voussoirs and sill. The small gabled dormers were added in the 1960s.

*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 Carolan Farmhouse is associated with the Carolan family who owned the property for over 100 years. The property was purchased by Cornelius Carolan (also noted as Caroline in several places) in 1835 from George Okill Stewart. Carolan was an Irish Catholic farmer who initially lived in a log home on the property with his wife Jane and daughters Bridgett, Grace Ann and Eliza. Carolan was elected as Road Master in 1835. The stone farmhouse replaced the log house around 1851. The property passed to daughter Grace Ann Carolan in May 1872. Grace Ann Carolan married Peter Nugent in June 1872, and they remained at the farmhouse into the 20th century.

### **Heritage Attributes**

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

- One-and-a-half storey, 'L'-shaped limestone farmhouse;
- Cross-gable roof with two tall grey-brick chimneys with banding and dentils;
- Symmetrical front façade with original segmentally-arched oversized openings with stone voussoirs and stone sills;
- Half-round arched window opening in the peak of the gable roof;
- Quoining at building corners and around the main entrance;
- Large transom and sidelights framing the main entrance; and
- Location on a slight rise overlooking Bath Road.

### **Non-Heritage Attributes**

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

- Detached outbuilding.

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

**A By-Law to Designate the property at 730 Hillview 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 730 Hillview 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

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

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**Bryan Paterson**  
**Mayor**

**Schedule “A”**  
**Description and Criteria for Designation**  
**John Grass Jr. House**

Civic Address: 730 Hillview Road  
Legal Description: Part Lot 2 Con 2 Kingston as in FR642683; City of Kingston,  
County of Frontenac  
Property Roll Number: 1011 080 140 12900

**Introduction and Description of Property**

The John Grass Jr. House property, located at 730 Hillview Road, is situated on the north side of the road, just west of Mona Drive and east of John Grass Creek Park, in the former Township of Kingston, now the City of Kingston. The approximately 1800 square meter thru-lot, with secondary frontage onto High Gate Park Drive, contains a two-storey Regency style former farmhouse, constructed in the late 19<sup>th</sup> century. A detached storage building, constructed in 2005, is located in the rear yard.

**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 John Grass Jr. House is a rare example of a 19<sup>th</sup> century Regency style farmhouse in the Collins Bay area of Kingston’s west end. The two-storey house exhibits a Regency architectural style through its simple, functional design with modest ornamentation. The square-plan structure is constructed of red bricks with a pitch-faced limestone foundation and topped by a steeply pitched hip roof in the typical Regency style. The front façade, once symmetrical with a central entrance flanked by window openings under a wraparound covered verandah, is now dominated by a late 20<sup>th</sup> century conversion of the western portion of the verandah to living space. The second floor and eastern elevation retains the original pattern of openings that exemplify the Regency style, including a central arched window opening, flanked by large rectangular openings. The window openings feature stone sills and brick voussoirs. There is a brick chimney on each of the east and west elevations, with the eastern chimney appearing to be a later addition.

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

The John Grass Jr. House is associated with the Grass family and particularly John Grass Jr who built the house in the late 1800s. The land was originally granted to Captain Michael Grass, a lieutenant in the volunteer militia that fought against the rebels in the American Revolution (later captain). Michael Grass was a United Empire Loyalist

(UEL) and is considered one of the first settlers in the former Township of Kingston. Ownership of the property was passed down to his son John Grass, and eventually came under the ownership of his grandson, John Grass Jr. John Grass Jr. was born on the property in 1810, when only a single storey framed building existed. He was a well-known local figure in the Collins Bay area. “Old Uncle John” was described in his obituary as “a kindly spirit” and “while frugal [was] honorable, hospitable and public spirited.” He died in his home, where he lived his entire life, in 1893 at the age of 82. The large, naturalized area immediately adjacent the house to the west, that stretches from the northern headwaters of Collins Bay north to Prince Charles Drive is named John Grass Creek Park in his honour. The property was sold to fellow UEL descendant, George Ellerbeck in 1918, and remained an active farm into the 1960s.

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

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

The John Grass Jr. House is a prominent house located at the northern tip of Collins Bay in a settlement area historically (and currently) known as Collins Bay. Together with the two former Methodist church buildings (now residences) at 692 and 704 Hillview Road and the large natural area named for John Grass, the John Grass Jr. House is a defining property in this historic community.

The two-storey Regency former farmhouse offers a rare example of this form in this area. Its distinctive architecture, size, brick construction, siting on the property, and location along Hillview Road, across from W.C. Warnica Memorial Park, make it a landmark in the area.

### **Heritage Attributes**

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

- One-and-a-half storey brick house with limestone foundation and hip roof;
- Second storey central arched window opening with brick voussoirs and a stone sill;
- Original rectangular window openings with brick voussoirs and stone sills;
- Brick chimney located on the west side of the building; and
- Location on a slight rise overlooking Collins Bay.

### **Non-Heritage Attributes**

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

- Detached outbuilding.

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

**A By-Law to Designate the properties at 149 Brock 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 149 Brock Street, known as the McKay Fur House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**



City of Kingston By-Law Number 2024-XX

**Schedule “A”**  
**Description and Criteria for Designation**  
**McKay Fur House**

Civic Address: 149 Brock Street  
Legal Description: Part Lot 1 N/S Brock St Plan Selma Subdivision Kingston  
City Part 2 13R2296; S/T interest in FR689524; City of  
Kingston, County of Frontenac  
Property Roll Number: 1011 010 140 00701

**Introduction and Description of Property**

The McKay Fur House, located at 149 Brock Street, is situated on the north side of the road, mid-block between Montreal and Bagot streets in downtown Kingston. The approximately 250 square metre property includes a two-storey red-brick commercial building constructed circa 1907 for the J. McKay Furrier business.

**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 McKay Fur House is an example of an early 20<sup>th</sup> century commercial building built as the showroom and business office for a growing furrier business in downtown Kingston. Presumably to stand out against the limestone buildings next door (153-155 Brock Street, which was owned by McKay Furs and being used to produce the fur and leather products) and to add a fresh new look to the business, the McKay Fur House was built of red brick with five dramatic semi-circular window openings with decorative hood molds and stone sills, each containing an arched and multi-paned window. The entire building is topped with a flat roofline decorated with an entablature. The entablature, while a modern recreation, features an elaborate cornice and dentils with a stepped centre section, which adds to the grandeur of the building.

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

The McKay Fur House is associated with John McKay who operated a leather, hides and furrier business. It is believed that the business began on the subject property in an earlier building. Eventually the business grew, expanding into 153 and 155 Brock Street

(previously owned by John's sister Eva McKay) and requiring the demolition of the original building and the construction of the new McKay Fur House building around 1907. The subject property became the location of the showrooms and order department, while the adjacent 153 and 155 Brock Street served as the factory and wholesale department. McKay's Fur House operated in this building until the 1960s.

*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 McKay Fur House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal streets. The street displays many early commercial buildings in the City of Kingston. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half storeys and the construction materials include red-brick, wood frame and limestone.

With its shallow setback, grand appearance and two storey height, red-brick construction, and location close to the lot lines, the McKay Fur House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street as John McKay's business operated in both buildings for the first half of the 20<sup>th</sup> century. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street.

The McKay Fur House is historically linked to the area, as a part of the various fur businesses in this part of the city in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The Wellington, Princess and Brock Street area was a popular location for furriers, with Clark Wright at 21 Brock Street (circa 1850-1887) later operating from 178 Wellington Street; George Mills & Co. (established 1879) along Wellington Street and then at 128 Princess Street; and Dominico Furs also operated for a time at 178 Wellington Street.

### **Heritage Attributes**

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

- Two-storey red-brick construction;
- Upper storey features five semi-circular window openings with decorative hood moulds and stone sills; and
- Entablature featuring an elaborate cornice and dentils that are broken by a stepped centre section.

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

**A By-Law to Designate the properties at 161 Brock 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 161 Brock Street, known as the Norris House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

City of Kingston By-Law Number 2024-XX

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**

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

Civic Address: 161 Brock Street  
Legal Description: Part Lot 2 N/S Brock St Plan Selma Subdivision Kingston  
City as in FR486361; T/W FR718826; City of Kingston,  
County of Frontenac  
Property Roll Number: 1011 010 140 01100

**Introduction and Description of Property**

The Norris House, located at 161 Brock Street, is situated on the north side of the road, just east of the intersection of Montreal and Brock Streets in downtown Kingston. The approximately 163 square metre property includes a one-and-a-half storey wood frame residential building constructed in 1842-1843.

**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 Norris House has physical and design value as a rare example of a wood frame dwelling in downtown Kingston. Following a number of devastating fires, in 1847 Kingston City Council passed a by-law to prohibit the erection of wooden buildings “in the thickly-built parts of the City”. This one-and-a-half storey wood frame former dwelling represents one of only a few remaining examples in the downtown area. While it has undergone several unsympathetic changes, particularly the Angel Stone veneer, its basic one-and-a-half storey massing and gabled roofed profile remain obvious. The three-bay façade was symmetrical with large rectangular sash windows that aligned with the dormers above. However, today the façade features two oversized square windows on either side of the original recessed central entranceway with transom and wooden panelled reveals. A later rear addition creates a saltbox-like roofline, and the eave returns have been removed. There is a brick chimney on the western roof ridge, which once matched a brick chimney on the eastern side.

*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.*

City of Kingston By-Law Number 2024-XX

The property is of historical/associative value due to its association with carpenter Benjamin Norris, who constructed this modest house for himself and his wife Elizabeth. Norris sold the eastern portions of his lot, possibly to fund the construction of his home, in the early 1840s. The stone building at 153 and 155 Brock Street were built circa 1844 and 1849 respectively. The 1851 census notes Benjamin and Elizabeth Norris living in the frame house with their children Mary, Catherine, twins John and William and James. After Benjamin's death, Elizabeth operated an inn from the Norris House. The property was eventually converted to a commercial property by the mid-late 20th century and has continued to function as such to the present day.

*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 Norris House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal streets. The street displays many early commercial buildings in the City of Kingston. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half storeys and the construction materials include red-brick, wood frame and limestone.

With its shallow setback, modest appearance, wood frame construction, and location close to the lot lines, the Norris House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street.

### **Heritage Attributes**

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

- One-and-a-half storey wood frame house with limestone foundation;
- Gable roof with dormers;
- Gable end with one rectangular window opening in the upper storey on the eastern end;
- Brick chimney at western end of the gable roof; and
- Symmetrical façade with window openings flanking a recessed central front entrance door with transom window above and frames by wooden panel reveals.

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

**A By-Law to Designate the properties at 163 Brock 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 April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 163 Brock Street, known as the Dupuis House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**



City of Kingston By-Law Number 2024-XX

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

Civic Address: 163 Brock Street  
Legal Description: Part Lots 31-32 Plan D18 & Part Lot 2, N/S Brock St, Plan Selma Kingston City, Part 1, 13R6984; City of Kingston, County of Frontenac  
Property Roll Number: 1011 010 140 01300

**Introduction and Description of Property**

The Dupuis House, located at 163 Brock Street, is situated on the north side of the road, at the northeast corner of Montreal and Brock Streets in downtown Kingston. The approximately 300 square metre property includes of a two-and-a-half storey, red-brick residential building constructed for Dr. Thomas Dupuis circa 1883.

**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 Dupuis House is an example of a vernacular brick building with prominent Italianate influences and constructed for use as both a home and office. Typical of this style is the symmetrical façade with projecting frontispiece, large projecting eaves and segmentally arched window openings. The gable on the façade, with eave returns, paired segmentally arched windows topped by voussoirs and decorative brackets add to the Italianate expression of this building. The building’s use as a residence and offices can be seen in the decorative details being carried onto the eastern elevation, and an entrance to the rear portion of the building.

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

The property is of historical/associative value through its association with Dr. Thomas R. Dupuis. The property functioned as both his residence and medical office. The office was located in the rear section of the building (historic address of 7 Montreal Street). Dupuis studied medicine at Queen's College (now Queen’s University) beginning in 1856 and graduated in 1860. In the summer of 1864, he was an assistant surgeon with the United States army at the Armory Square Hospital. By 1868 he was appointed professor of

Botany at the Royal College of Physicians and Surgeons in Kingston. He practiced medicine at Harrowsmith and Odessa before moving to Kingston in 1872. He was a physician and surgeon at the Kingston Hospital beginning in 1874. While in Kingston he made a significant mark by becoming a professor of Anatomy at Queen's, a lecturer of clinical surgery in 1880 at Queen's, and was involved in the establishment of the Cataraqui Medical Society (now the Kingston Medical Society). He served as alderman in Kingston from 1874–1880 and 1882. The property continued to function as a doctor's office and residence following Dupuis' death from cholera in 1893.

*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 Dupuis House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal streets, which retains several nineteenth-century commercial buildings. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half storeys and the construction materials include red-brick, wood frame and limestone.

With its shallow setback, grand appearance, red-brick construction, and prominent corner location, the Dupuis House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street and the brick building at 149 Brock Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street.

### **Heritage Attributes**

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

- Two-and-a-half storey red-brick construction, including rear two-and-a-half storey wing, with complex roof that includes hip and gable portions;
- Symmetrical façade with projecting central bay topped with a gable roof with eave returns, decorative brackets, and a pair of segmentally arched window openings topped by voussoirs;
- Three-bay façade with a central front entrance, including two projecting window openings flanking the central entrance;
- Segmentally arched doorway openings with segmentally arched transoms;
- Segmentally arched window openings with voussoirs including basement window openings;
- Large projecting eaves brackets and four brick chimneys; and
- Rusticated limestone foundation.

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

**A By-Law to Designate the properties at 319 and 321 King Street West to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

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

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

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 319 and 321 King Street West (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**

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

|                       |   |
|-----------------------|---|
| Civic Address:        | 319 King Street West  |
| Legal Description:    | Part Farm Lot 22 Con 1 Kingston as in FR639441 Except the Easement therein; City of Kingston, County of Frontenac |
| Property Roll Number: | 1011 070 050 18900  |
| Civic Address:        | 321 King Street West  |
| Legal Description:    | Part Farm Lot 22 Con 1 Kingston as in FR226735 Except the Easement therein; City of Kingston, County of Frontenac |
| Property Roll Number: | 1011 070 050 19000  |

**Introduction and Description of Property**

The subject property, which spans two separate properties at 319 and 321 King Street West, is located on the north side of the street, at the northeast corner with Centre Street, in the City of Kingston. The approximately 280 and 318 square metre properties include a two-and-a-half storey duplex that completes the stucco-clad 1841 stone row houses known as Hales Cottages.

**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 two-unit building was constructed around 1900 to replace the western-most Cottage that was partially lost to fire. There is evidence that the eastern three bays (window, door window) on the ground floor were restored from the remains of the fifth Hales Cottage, with the majority of 321 being an addition. The 1908 Fire Insurance Plan indicates that portions of the foundation and most of the main floor are stone construction, while the rest of the duplex, including all the upper floors, are wood frame. A visual inspection of 319, confirms stone construction of the main floor rear wall, with stone voussoirs visible above the rear main floor and front and rear basement openings. From the façade it is difficult to confirm that the openings are in fact those from the original 1841 Cottage, however the front basement window and door openings of 319 King appear to be consistent with the rest of the row. Regardless, the subject property is a unique example of an infill building from the early 20<sup>th</sup> century that took inspiration, if not its partial form, from the adjacent row in its design.

Although the general impression is wood frame with yellow stucco and wood cladding, there are many visual vestiges of the original 1841 design, including its location in line with the row, the rhythm and consistent shape of window and door openings, particularly in the three eastern bays, and its limestone foundation and tall wide brick

chimney (shared between 319 and 317). Both buildings have arched transom windows over their main entrances, though 319 King is setback and includes flanking side lights that match those in the original row. Portions of the ribbon board detail along the base of the main floor level of the original cottages extend along these properties as well. A second ribbon board runs horizontally along portions of both properties at the top of the main floors on the same plane as the original decorative roofline dentils. Each unit has a main floor Wyatt style window, which, though likely not original, reflects those on the other Hales Cottages. While differing in design, each of these properties include a covered portico adding to the sense of consistency and continuity with the Hales Cottages design.

The subject property sets itself apart from the Hales Cottages row, however, with many distinguishing features that indicate its later construction date. These include its two-and-a-half storey massing, frame construction, low-sloping portico roofs (not gabled), and the use of a single sash window on the left front of 321, as opposed to the Wyatt windows found on the row. Another key distinguishing feature is the lack of stone garden wall fronting King Street, which terminates at 317 King Street West.

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

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

As the evolution and expansion of the original 5-unit row of Hales Cottages, 319 and 321 King Street West are a significant part of the history of this important row of houses and are historically and visually linked to their neighbours to the east. This two-unit building contributes to the strong presence of early historic row housing at the corner of Centre Street and King Street West.

With its consistent setback from the public right-of-way, architectural detailing, and stucco cladding, 319 and 321 King Street West support the historic character of the area.

### **Heritage Attributes**

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

- Two-and-a-half storey massing with gable roof and wide shared brick chimney (319 only);
- Stucco cladding, including projecting ribbon boards;
- Window and door openings on the first and second floor that follow the rhythm of the row, including the Wyatt style windows on the façades main floors;
- The arched main entranceways with elliptical transom and side lights (319 only);
- Limestone foundation, and one basement window opening (319); and
- Limestone main floor front and rear walls at 319 and portions at 321.

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

**A By-Law to Designate the properties at 347 Wellington Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

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

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

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 347 Wellington Street, known as the Davis Dry Dock (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

**Therefore, *Council* enacts:**

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

City of Kingston By-Law Number 2024-XX

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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

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**Bryan Paterson**  
**Mayor**



**Schedule “A”  
Description and Criteria for Designation  
Davis Dry Dock**

Civic Address: 347 Wellington Street  
Legal Description: Part Cataraqui Ordnance Water Lot Kingston Part 1,  
13R9796 S/T FR393688; City of Kingston, County of  
Frontenac  
Property Roll Number: 1011 030 120 08500

**Introduction and Description of Property**

The Davis Dry Dock property, located at 347 Wellington Street, is situated on the east side of the street, just north of Bay Street in the inner harbour area of downtown Kingston. The approximately 3,800 square metre property includes a dry dock, originally constructed in 1878, and a one-and-a-half storey machine shop constructed around 1900.

**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 Davis Dry Dock has physical and design value as a rare example of a still active and functional dry dock in Kingston. The dry dock is constructed of sheet metal with concrete sill and timbered bottom. It was originally built at 180 feet long, 31 feet wide and 10 feet deep at the sill. The dry dock has since been expanded to 200 feet in length, with a width of 45 feet and a sill depth of 12 feet; the walls are now lined with steel plate. Despite these changes, the location and purpose of the dry dock remains unaltered.

A one-and-a-half storey machine shop was constructed on the property prior to 1908. The current building may contain portions of the original structure, yet various additions and alterations over the years have changed its original proportions and design considerably. It is notable, however, that the subject property has continuously operated as primarily a marine manufacturing facility for over 130 years.

*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 City of Kingston’s growth in the 19<sup>th</sup> and early 20<sup>th</sup> centuries can be greatly attributed to its proximity to Lake Ontario and the St. Lawrence River. Transportation by boat for

trade and commerce was a key part of this prosperity and thus the construction and repair of marine vessels for commercial purposes was an important factor in this continued success.

The Davis Dry Dock has historical/associative value as an important (and still active) boat construction, repair and storage facility along the waterfront of Kingston inner harbour. It was founded by Robert Davis and his three sons: Mathew, a ship builder, John, the business manager, and George, a carpenter. The company was established in 1867 in the French Harbour (behind Fort Frontenac), but it moved to this location on Wellington Street in 1887. In the late 1890s the location was the largest boat-building facility of its size on Lake Ontario. The Davis Dry Dock Company manufactured various types of vessels, including steam leisure yachts, yawls, and large steamers. Their most famous boat built was an Edwardian steamboat called the Phoebe, which is now found at the Portsmouth Olympic Harbour building in Kingston. Timothy Eaton, the Toronto dry good merchant (who founded the Eaton's department store chain), was a notable customer of the company. Other significant vessels built by the company included: the Laura D., built in 1884; the Island Queen, built in 1887 for the Richelieu & Ontario Navigation Company; the Lorelei, built in 1891; the King Ben, built in 1895; the Rideau Queen, built in 1900; and the Buena Vista, built in 1911.

The Davis Dry Dock Company peaked between 1890 and 1920, but by 1922 they began manufacturing touring cars. The Davis Dry Dock Company declined, as a large portion of their money had been diverted to automobile manufacturing. However, the investment did not pay off as the Davis cars were significantly more expensive compared to the Model T, and thus did not sell as well. The company returned to their boat building origins by 1924.

The boat manufacturing use of the subject property is still in operation today and being run by MetalCraft Marine Inc. MetalCraft (founded in 1987) constructs primarily fire and police boats and continues to use the dry dock for the maintenance and construction of various marine vessels.

*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 Davis Dry Dock is located in Kingston's Inner Harbour. This location was the site of the first ship building on the Great Lakes by the French in 1679 and has been a key location of ship building since that time. The only other remaining dry dock in Kingston is a National Historic Site of Canada located on Ontario Street, known as the Kingston Dry Dock. The Davis Dry Dock is significant in defining the historic character of the area as a rare vestige of the City's nearly 350-year ship-building history.

With its proximity to the inner harbour, the Kingston Marina and other historic industrial buildings, such as the former Queen City Oil building at 9 North Street and the former

Bajus Brewery at 308 Wellington Street, the Davis Dry Dock is historically and functionally linked to its surroundings.

### **Heritage Attributes**

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

- Location in the Kingston Inner Harbour; and
- Rectangular dry dock, constructed on timber, steel and concrete.

1553 Sunnyside Road –  
Fairbanks Farmhouse



265 King Street East –  
Dr. Connell/ Pilot House Building



275 King Street East –  
Wire Works Building



2785 Lee Road



375 Maple Ridge Drive –  
Carolyn Farmhouse





730 Hillview Road –  
John Grass Jr. House



# 149 Brock Street – McKay Fur House



161 Brock Street – Norris House



Google - 2020

# 163 Brock Street - Dupius House



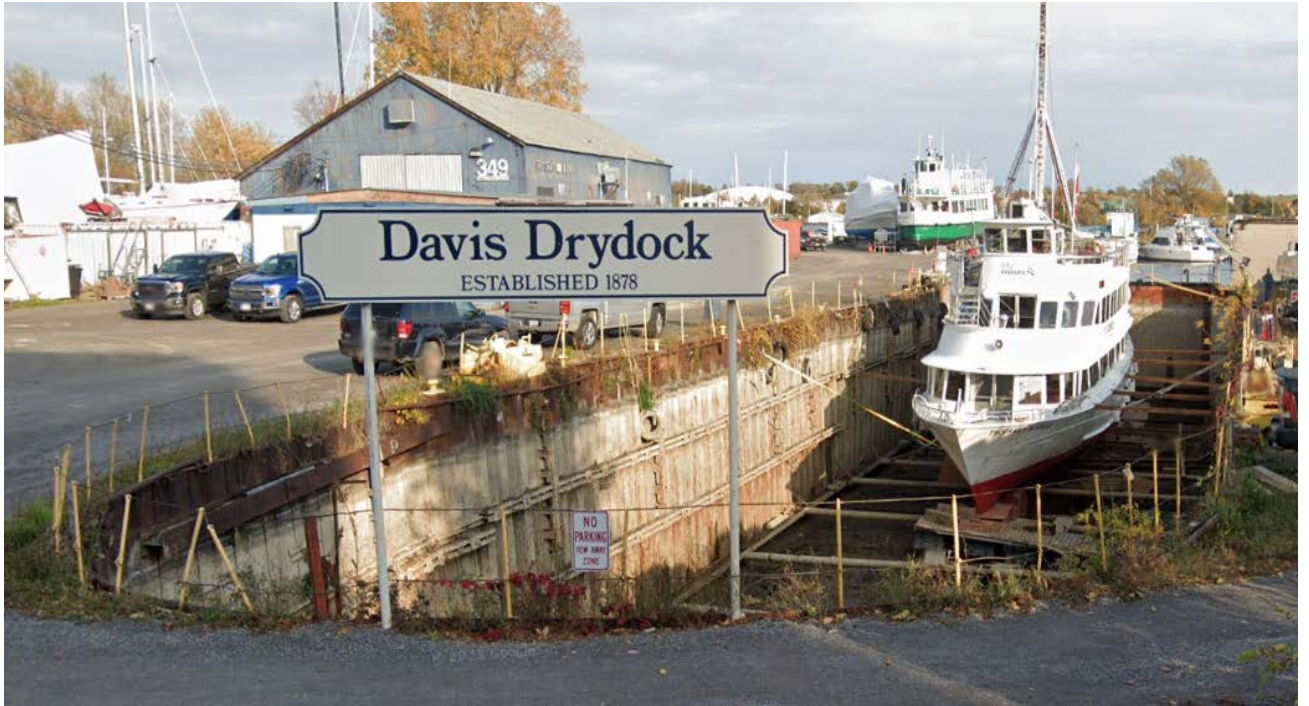
Google - 2020

## 319 & 321 King Street West



Google - 2020

# 347 Wellington Street – Davis Dry Dock



Google - 2023

Limestone Dermatology  
163 Brock Street  
Kingston  
Ontario. K7L 1S2

Ryan J. Leary, RPP, MCIP, CAHP  
Senior Planner, Heritage  
City of Kingston  
216 Ontario Street  
Kingston, Ontario  
K7L 2Z3

March 23rd, 2024

Dear Mr. Leary,

Thanks for your letter of March 11th, 2024. You have requested my feedback concerning the City's proposed designation of 163 Brock Street under the Ontario Heritage Act, within the short timeline of March 29th, 2024.

In short, I regard the draft Statement of Cultural Heritage Value or Interest that you provided significantly overstates the cultural heritage value of my property. While the history of the building and its association with Dr Dupuis is both interesting and informative, the fact is that this building has changed a great deal since the days of Dr Dupuis. While in common with many other buildings in Kingston, 163 Brock Street has some "Italianate" features, the building has for many years been a working medical clinic with electric doors, windows / awnings to allow daylight and shade, a large poured concrete access ramp and railings and other features bringing it to code, which are quite different from what ever might have been in place from the days of Dr Dupuis.

After receiving your letter I googled "Italianate", which yielded the identical language to that contained in the statement of Cultural Heritage for my property. As a resident of Sydenham ward, out walking my dog, I quickly came to appreciate just how ubiquitous Italianate features are in that part of the city. Every other student rental is Italianate! Furthermore, on researching this subject more, I learned that it was one of the commonest building styles of the late 19th century in North America.

As a practical matter, and as a busy medical practitioner in a solo practice attending to the needs of literally hundreds of Kingston residents every week, I simply do not have the resources or the time to take on the additional responsibilities implicit in owning a designated heritage property. At a time of great stress on the medical system and in particular on independent physicians in situations such as mine, this is the type of external pressure that could literally put me over the edge in terms of my medical practice going forward.

I am very appreciative of Kingston's unique character and qualities, and I understand the need through the planning process to ensure that any type of building alterations or work are consistent with the city's character. In the case of 163 Brock Street however I would suggest that its physical attributes and cultural heritage are not of sufficient significance to merit the designation that you are proposing. This is particularly so after the many changes to the building which have been made over the years and its current use as a high traffic medical clinic.

I would therefore respectfully suggest that your proposed designation, at least as it relates to my building, should be withdrawn.

I would be happy to discuss this with you or your representative if you feel that would be helpful.

Kind Regards.  
Yours sincerely,

Dr Ruth MacSween, MRCP, FRCPC



**Permit Reporting to Committee**

| <b>File Number</b> | <b>Stream Type</b> | <b>Status</b> | <b>Property Address</b> | <b>Scope of Work</b>         | <b>Planner</b> |
|--------------------|--------------------|---------------|-------------------------|------------------------------|----------------|
| P18-012-2024       | Stream 1           | Permit issued | 1 Church St.            | Roofing                      | NK             |
| P18-013-2024       | Stream 1           | Permit issued | 260 Barrie St.          | New roof vents               | PP             |
| P18-016-2024       | Stream 1           | Permit issued | 450 Princess St.        | New Flashing and repointing  | PP             |
| P18-017-2024       | Stream 1           | Permit Issued | 96 Albert St            | Porch repairs and repointing | PP             |
| P18-020-2024       | Stream 1           | Permit Issued | 196 University Ave.     | New Concrete porch base      | PP             |
| P18-027-2024       | Stream 1           | Permit Issues | 26 Maitland             | Garbage enclosure            | RL             |