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Office of the City Clerk

ONTARIO HERITAGE TRUST

FEB 07 2011

RECEIVED

February 2, 2011

**RE: KINGSTON MUNICIPAL HERITAGE COMMITTEE- NOTICE OF INTENTION TO  
DESIGNATE FOR 1 BAIDEN STREET**

I would confirm that at the regular meeting of Kingston City Council held on January 18, 2011, the following resolution, being Clause 2., Report No. 11 was approved:

2. **WHEREAS** Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 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; and,  
**WHEREAS** the Ontario Heritage Act requires the Council of a Municipality to serve Notice of Intention to Amend a Designation By-Law when changes are made to the property's 'Reasons for Designation'; and,  
**WHEREAS** a revised draft by-law has been developed to bring the 'Reasons for Designation' into compliance with the Ontario Heritage Act and to correct some errors with the existing description; and,  
**WHEREAS** when the Council of a Municipality has appointed a Municipal Heritage Committee, the Council shall, before giving Notice of its intention to amend a Designation By-Law, consult with its Municipal Heritage Committee; and,  
**WHEREAS** the Kingston Municipal Heritage Committee recommended to Council to serve Notice of Intention to Amend the Designation By-Law for 1 Baiden Street under the Ontario Heritage Act on September 13, 2010; and,  
**WHEREAS** the Council of the Corporation of the City of Kingston approved serving Notice of Intention to Amend the Designation By-Law for 1 Baiden Street on September 21, 2010, and the Notice was served on the property owner and the Ontario Heritage Trust on September 24, 2010; and,  
**WHEREAS** no notices of objection were received;  
**THEREFORE BE IT RESOLVED THAT** the updated Designation By-Law under the Ontario Heritage Act for the property located at 1 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 Province of Ontario, and being composed of Part of Lot 5 north of Baiden Street (formerly Centre Street), southwest quarter of Lot 19, Concession 1, Registered Plan 54 (Portsmouth) which is more particularly described in Instrument No. 298894), attached as Exhibit 'A' to Report No. KMHC-11-003, be adopted by Council as amended;  
- and further -  
**THAT** the entry in the City of Kingston Heritage Properties Register for the property located at 1 Baiden Street be amended to reflect the updated designation of the property;

...continued on Page 2

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- and further -

*THAT as required under the Ontario Heritage Act, the Clerk of the Municipality shall ensure a copy of the by-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property shall be served in accordance with the requirements of Section 67 of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and be registered against the property affected in the proper Land Registry Office.*

*(Note: The Recommendation Report of the Commissioner of Sustainability & Growth (KMHC-11-003) was attached to the KMHC January agenda as Schedule Pages 1-9. The original report can currently be viewed at <http://www.cityofkingston.ca/cityhall/committees/lacac/agendas.asp>.*

**CARRIED**

By-Law 2011-15 received First and Second Readings on January 18, 2011 and Third Reading on February 1, 2011.

Pursuant to the Ontario Heritage Act, I am enclosing herewith a copy of the Notice of Passing, together with a copy of By-Law 2011-15, which includes the statement explaining the cultural heritage value or interest of the property and a description of the attributes of the property, for your information. Following registration of this by-law on the title to the property, a copy will be provided to you as well.

If you have any questions please do not hesitate to contact Marcus Letourneau, Heritage Planner.

Yours truly,

John Bolognone  
City Clerk

/ki

Enclosures

Cc: C. Beach, Commissioner, Sustainability & Growth  
Ontario Heritage Trust

File No.

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**NOTICE OF AMENDED DESIGNATION FOR 1 BAIDEN STREET  
AS HAVING CULTURAL HERITAGE VALUE AND INTEREST  
PURSUANT TO THE PROVISIONS OF  
THE ONTARIO HERITAGE ACT (R.S.O. 1990, Chapter O.18)**

**TAKE NOTICE** that the Council of The Corporation of the City of Kingston passed By-law 2011-15 under Section 30.1 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, to amend the designation by-law for the lands at 1 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 Province of Ontario, and being composed of Part of Lot 5 north of Baiden Street (formerly Centre Street), southwest quarter of Lot 19, Concession 1, Registered Plan 54 (Portsmouth) which is more particularly described in Instrument No. 298894) as having cultural heritage value and interest.

The 1860 two-storey frame house on 1 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 Province of Ontario, and being composed of Part of Lot 5 north of Baiden Street (formerly Centre Street), southwest quarter of Lot 19, Concession 1, Registered Plan 54 (Portsmouth) which is more particularly described in Instrument No. 298894) is located on a corner lot at the intersection of Baiden and Church Streets, near St. John's Church in Portsmouth Village. The property is of cultural heritage value as an example of nineteenth-century residential development. The building is of architectural significance in how it eloquently reflects the building technology and design of the period. The central entranceway is composed of simple pilasters flanking a restored six-panel door topped by a rectangular transom light, over which rests a wide entablature with dentils (restored in 1993 based on an early photograph). Its upper storey windows are aligned above the main-floor windows. It originally had its main and upper floors heated by wood stoves and, because these required smaller flues, they permitted greater regularity in the fenestration of the end or street east wall. The historical value of the property is found in its historical associations with Irish immigrants John and Mary Pugh, who lived there with their family. John Pugh was a cordwainer, (leather-worker) who taught shoe-making at the Kingston Penitentiary and his son Thomas – to whom the property passed in 1889 – was a penitentiary guard. The contextual value of the property is in its prominent location, on the corner of Baiden and Church Streets, making an important contribution to the streetscape and the overall village landscape.

**Additional information**, including a full description of the reasons for designation is available upon request from the City's Heritage Planner, Marcus Letourneau at 613-546-4291, Ext 1386, during regular business hours.

**DATED** at the City of Kingston  
this 2nd day of February, 2011

John Bolognone, City Clerk  
City of Kingston

**BY-LAW NO. 2011-15**

**A BY-LAW TO AMEND BY-LAW No. 80-63 TO REFLECT THE CULTURAL HERITAGE VALUE AND INTEREST OF 1 BAIDEN STREET**

**PASSED:** February 1, 2011

**WHEREAS** Section 30.1 of the *Ontario Heritage Act* provides for the updating of existing Designation By-laws; and

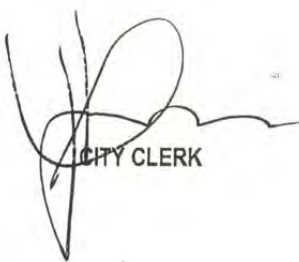
**WHEREAS** the 'Reasons for Designation' for 1 Baiden Street does not meet current provincial requirements and there are errors in the existing 'Reasons for Designation';

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

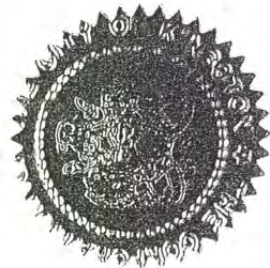
1. That all references to '1 Baiden Street,' located in Schedule "A" of By-law No. 80-63 be deleted and replaced with the document hereto attached entitled "Description and Reasons for Designation - 1 Baiden Street."
2. For the purpose of interpretation, 'Maintenance' on 1 Baiden Street will include the following works:  
Maintenance is considered routine, cyclical, and non-destructive actions, necessary to slow the deterioration of a historic place. It entails the following actions: periodical inspection; general property cleanup; general gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs (including replacement of individual asphalt shingles where there is little or no change in colour or design); repainting in the same or similar colour; and, repointing areas of masonry under 1.5 square metres;
3. A copy of this By-law shall be registered against the property affected in the proper Land Registry Office. The City Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the land described in the document entitled '1 Baiden Street' attached hereto and on The Ontario Heritage Trust.
4. The City reserves the right to install a designated property plaque or interpretive panel.
5. This By-Law shall come into force and take effect on the date of its passing.

**GIVEN FIRST AND SECOND READINGS** January 18, 2011

**GIVEN ALL THREE READINGS AND PASSED** February 1, 2011

  
CITY CLERK

  
MAYOR





**Description and Reasons for Designation**  
**1 Baiden Street**

**Legal Description**

Property Number: 101107013011600

Civic Address: 1 Baiden Street

Lot/Concession: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Kingston in the Province of Ontario, and being composed of Part of Lot 5 north of Baiden Street (formerly Centre Street), southwest quarter of Lot 19, Concession 1, Registered Plan 54 (Portsmouth) which is more particularly described in Instrument No. 298894.

**Description of Property**

The 1860 two-storey frame house on 1 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 Province of Ontario, and being composed of Part of Lot 5 north of Baiden Street (formerly Centre Street), southwest quarter of Lot 19, Concession 1, Registered Plan 54 (Portsmouth) which is more particularly described in Instrument No. 298894) is located on a corner lot at the intersection of Baiden and Church Streets, near St. John's Church in Portsmouth Village. The property is of cultural heritage value as an example of nineteenth-century residential development. The building is of architectural significance in how it eloquently reflects the building technology and design of the period. The central entranceway is composed of simple pilasters flanking a restored six-panel door topped by a rectangular transom light, over which rests a wide entablature with dentils (restored in 1993 based on an early photograph). Its upper storey windows are aligned above the main-floor windows. It originally had its main and upper floors heated by wood stoves and, because these required smaller flues, they permitted greater regularity in the fenestration of the end or street east wall. The historical value of the property is found in its historical associations with Irish immigrants John and Mary Pugh, who lived there with their family. John Pugh was a cordwainer, (leather-worker) who taught shoe-making at the Kingston Penitentiary and his son Thomas – to whom the property passed in 1889 – was a penitentiary guard. The contextual value of the property is in its prominent location, on the corner of Baiden and Church Streets, making an important contribution to the streetscape and the overall village landscape.

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

The cultural heritage value of the property derives from its character as an exemplar of residential development in 19th century Portsmouth Village and its historical associations with the workers of the Kingston Penitentiary. It has contextual value for its location on a prominent corner lot, making an important contribution to the village landscape.

**Physical Design Value**

Physical design value can be found in the architectural features of the heavy timber frame house. Resting on a sloped site, with a rubble-stone foundation, this three-bay, two-storey, house was originally covered by plain clapboarding (now vinyl siding). The central entranceway is composed of simple pilasters flanking a restored six-panel door topped by a rectangular transom light, over which rests a wide entablature with dentils (restored in 1993 based on an early photograph). The house is two bays deep and has a one-storey lean-to porch, likely added to the back wall in the 1940s. The structure reflects the building technology and design of the period. Its upper storey

windows are aligned above the main-floor windows which simplified construction and respected classical rhythms. It originally had its main and upper floors heated by wood stoves and, because these required smaller flues, they permitted greater regularity in the fenestration of the end or street east wall.

#### **Historical/Associative Value**

1 Baiden is a good example of the residential development in nineteenth-century Portsmouth Village that grew in response to the need for housing for skilled tradesman, many of whom worked at the nearby Kingston Penitentiary. Built in 1860 (as noted on the census of 1861), it was originally owned by Irish immigrants John and Mary Pugh, who lived there with their family. John Pugh was a cordwainer, (leather-worker) who taught shoe-making at the Kingston Penitentiary and his son Thomas – to whom the property passed in 1889 – was a penitentiary guard. The property was left in the possession of the Pughs in 1901.

#### **Contextual Value**

Prominently sited on a corner lot at the intersection of Baiden and Church Streets, the property makes an important contribution to two streetscapes and to the overall village landscape.

### **Character Defining Features/Heritage Attributes**

#### *Physical/Design Attributes*

- The overall design of the house as a coherent whole, as well as for its individual architectural attributes;
- The three-bay front and rear elevations, two-bay side elevations and gable roof;
- Its rubble stone foundation and its multi-paned (restored 1978) basement windows;
- Its typical construction for 19th century Portsmouth Village, that is, a heavy timber frame with clapboard covering on a stone foundation;
- The central doorway with a six-panel (restored) door, a pair of pilasters, a rectangular transom and wide (restored) entablature;
- Its evenly placed fenestration with 12-panes per window (the lower sash have the muntins restored – the originals having been removed in the 1940s), double-hung sashes and wide top entablatures (the latter restored based on an early photograph); and,
- Its pair of symmetrically placed chimneys (the red brick stacks may have been rebuilt at some point) on a gable roof.

#### *Historical/Associative Attributes*

- Its association with the development of Portsmouth Village in response to the need for housing for skilled tradesmen, many of whom worked at the nearby Kingston Penitentiary;
- Its association with housing for Irish immigrants; and,
- Its reflection of the building technology and design of the mid-nineteenth century.

#### *Contextual Attributes*

- Its contribution to the streetscape of both streets intersecting at its corner lot; and,
- Its contribution to the overall landscape of Portsmouth Village.





Figure 1: 1 Balden Street (2004)

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