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Office of the City Clerk

ONTARIO HERITAGE TRUST

JUN 29 2017

June 23, 2017

Via email to: Donna.norman@cnib.ca
Gary.baldey@cnib.ca
apeng@foglars.com

Donna Norman
Gary Baldey
c/o CNIB
826 Princess Street
Kingston, ON K7L 1G3

Alexandra Peng
Folger, Rubinoff, LLP
77 King Street West
Suite 3000
Toronto, ON M5K 1G8

Dear Ms. Norman, Mr. Baldey and Ms. Peng:

Re: By-Law Number 2017-49 to amend By-Law Number 87-179 under the Ontario Heritage Act – 800 and 826 Princess Street

Pursuant to Sections 30 and 31 of the *Ontario Heritage Act*, R.S.O., 1990, Chapter 0.18, we enclose herewith the following:

1. By-Law Number 2017-49 being a "By-Law to amend By-Law Number 87-179 (A By-Law to designate certain properties to be of historic and/or architectural value or interest pursuant to the provisions of the Ontario Heritage Act)", which was registered on the title of the property located at 826 Princess Street, on June 19, 2017 as instrument number FC241913.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,

 John Bolognone, City Clerk

cc: P. Agnew, Director, Planning, Building & Licensing
G. Newman, Manager, Policy Planning
M. Kimm, Planner
R. Leary, Senior Planner – Heritage
Ontario Heritage Trust

The Corporation of the City of Kingston

216 Ontario Street, Kingston, ON K7L 2Z3

Phone: (613) 546-4291 ext. 1247

Fax: (613) 546-5232

jbolognone@cityofkingston.ca

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd

Page 1 of 6

Properties

PIN 36024 - 0008 LT
Description PT FARM LT 21 CON 1 KINGSTON PT 1 13R8079; KINGSTON ; THE COUNTY OF FRONTENAC
Address 826 PRINCESS ST
KINGSTON

Applicant(s)

This Order/By-law affects the selected PINs.

Name THE CORPORATION OF THE CITY OF KINGSTON
Address for Service 216 Ontario Street, Kingston, ON K7L 2Z3

This document is being authorized by a municipal corporation Bryan Paterson, Mayor and John Bolognone, City Clerk.

This document is not authorized under Power of Attorney by this party.

Statements

This application is based on the Municipality By-law See Schedules.

Signed By

Katie A. Donohue	216 Ontario Street Kingston K7L 2Z3	acting for Applicant(s)	Signed	2017 06 19
Tel 613-546-4291				
Fax 613-546-6156				

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

CITY OF KINGSTON	216 Ontario Street Kingston K7L 2Z3	2017 06 19
Tel 613-546-4291		
Fax 613-546-6156		

Fees/Taxes/Payment

Statutory Registration Fee	\$63.35
Total Paid	\$63.35


File Number

Applicant Client File Number : LEG-C01-002-2017



I, **James Thompson** , hereby certify this to be a true and correct copy of **By-Law Number 2017-49 "A By-Law to Amend By-law Number 87-179 (A By-law to Designate Certain Properties to be of Historic and/or Architectural Value or Interest Pursuant to the Provisions of the Ontario Heritage Act)"**, which was passed by the Council of The Corporation of the City of Kingston on April 4, 2017.

DATED at Kingston, Ontario
this 12th day of April, 2017


James Thompson, Acting City Clerk
The Corporation of the City of Kingston

By-Law Number 2017-49

A By-Law to Amend By-law Number 87-179 (A By-law to Designate Certain Properties to be of Historic and/or Architectural Value or Interest Pursuant to the Provisions of the *Ontario Heritage Act*)

Passed: April 4, 2017

Whereas Sections 30 and 31 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to update and repeal by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas the description of Ashton, located at 826 Princess Street, does not meet the current requirements of the *Ontario Heritage Act*;

Whereas Council has consulted with its Heritage Kingston Committee and has approved the update to the designation by-law for the property located at 826 Princess Street, also known as Ashton (Part Farm Lot 21, Concession 1, Being Part 1 on Reference Plan 13R-8079, City of Kingston, County of Frontenac) on February 1, 2017; and

Whereas Council has served a notice of proposed amendment of a designation by-law on the property owner and the Ontario Heritage Trust and published in The Kingston Whig-Standard, which is a newspaper having general circulation in the Municipality, on February 28, 2017; and

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

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

1. To delete Schedule 'A', only as it relates to 826 Princess Street and portions of 800 Princess Street, as found within By-law 87-179 and replace it with the document hereto attached as Schedule 'A' and forming part of this By-law.
2. A copy of this by-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the land described in Schedule "A" hereto and on The Ontario Heritage Trust and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.
3. By-Law Number 87-179, registered as Instrument Number FR463233, be removed from the title of that portion of 800 Princess Street, PIN 36024-0009(LT), currently encumbered by same.


4. For the purpose of interpretation, the term 'Maintenance' will include the following definition (or as otherwise defined in the City's Procedural By-law for Heritage):
"Maintenance means routine, cyclical, non-destructive actions, necessary to slow the deterioration of a Protected Heritage Properties, including the following:
periodical inspection; property cleanup; 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 where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing."
5. The City reserves the right to install a designated property plaque or interpretive panel; and
6. This by-law shall come into force and take effect on the date of its passing.

Given First and Second Readings February 21, 2017

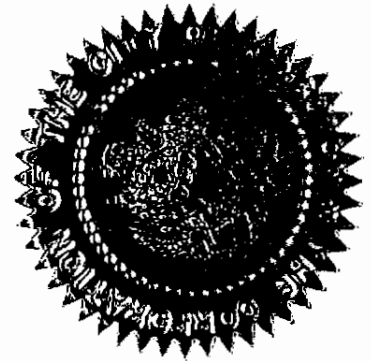
Given Third Reading and Passed April 4, 2017



John Bolognone
City Clerk



Bryan Paterson
Mayor



Schedule "A"

Description and Reasons for Designation

Ashton

Civic Address: 826 Princess Street
Legal Description: Part Farm Lot 21, Concession 1, Being Part 1 on Reference Plan 13R-8079, City of Kingston, County of Frontenac
Property Roll Number: 1011020030012000000

Introduction and Description of Property

The property at 826 Princess Street is a two-storey, stone villa built in the Neoclassical style with a broad, hipped roof, wide eaves, twin chimneys and a fanlight over the central entrance. Originally built c.1840, it is attributed to architect George Browne. A two-storey addition at the rear was built c.1974. The building is surrounded by small margins of grass on the north and west sides and by a large parking lot to the south. It is located on the south side of Princess Street between McDonnell and Regent Streets and directly opposite Tower Street. The property is referred to as "Ashton", the name given to it by its first owner, John Metcalfe.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

Ashton is a representative example of a Neoclassical villa, a style and type of generous size homes that was popular in Canada between 1820 and 1860. It includes many features typical of the style, including stone construction, low-pitched roof with deep eaves, classical detailing, symmetrical façade and a fanlight with sidelights. It is notable for its recessed entry bay and recessed corners, a reversal of the usual configuration.

The design is skillful, using projecting and receding planes, deep eaves, low side gables and rough stone texture to effectively capture light and shadow.

Ashton is associated with the mid-19th century development of the Williamsville area. It is an example of the large country houses being built on the western limits of the City in the mid-19th century and of the construction boom between 1841-1843, while Kingston was the capital of the Province of Canada.

Historical/Associative Value

It is associated with five generations of the Metcalfe family who lived there from 1841 to 1964. It was built by John Metcalfe, an engineer who participated in the building of the

Rideau Canal. Several later generations of Metcalfes were significant in the history and development of Kingston, including James Henry Metcalfe, a well-known businessman and politician who served in municipal, provincial and federal governments; John Charles Metcalfe (1858-99), who established Metcalfe Meat Market on Brock Street, a Kingston business that operated from 1891-1970; and John's wife Mary Agnes (1864-1913) and son James Edgar Metcalfe (1889-1946), who continued to operate the meat market until their deaths.

Ashton has been attributed to government architect George Browne, who also produced many private commissions during the three years (1841-43) he was in Kingston. The design includes several elements typical of Browne's work, including: symmetry, use of rock faced limestone, recessed corners and central bay, deep eaves, and shallow pitched roof.

Contextual Value

It is historically and visually linked to Princess Street, having been a feature of this section of Princess Street since the 1840s. As the only remaining Neoclassical stone villa along this stretch of Princess Street, it functions as a landmark.

Cultural Heritage Attributes

The heritage attribute essential to the cultural heritage value or interest of this property is the two-storey, stone house built c.1840. Key elements of the house include:

- its Neoclassical style, including a full two storey height, square footprint and a low-pitched hipped roof with side gables supporting wide chimneys;
- its proportions, derived from the two storey height with a square footprint and single block massing;
- its stone construction using squared, evenly coursed, rock-faced limestone, quarried locally;
- its large matching end gable chimneys with the right chimney having its original profiled corners and matching stone cap;
- its façade with recessed central entrance bay flanked by wide, slightly projecting window bays and recessed corners;
- the regular and symmetrical placement of window openings on its front and side elevations;
- its central entrance with segmental head and radiating voussoirs;
- its entrance door, with centre bead and six fielded panels;
- its fanlight with segmental head and radiating muntins;
- its sidelights, with matching lower fielded panels;
- its slightly arched window openings with radiating voussoirs and ashlar sills; and
- the visibility and legibility of its heritage attributes from Princess Street.