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ONTARIO HERITAGE TRUST

JUN 25 2015

~~RECEIVED~~

Office of the City Clerk

June 18, 2015

[REDACTED]
135 Clergy Street East
Kingston, ON K7K 3S2

Dear [REDACTED]

Re: Heritage Designation – 135 Clergy Street to be of Cultural Heritage Value and Interest

Pursuant to section 29 of the *Ontario Heritage Act*, attached please find a copy of By-Law No. 2015-77, A By-Law to designate 135 Clergy Street to be of Cultural Heritage Value and Interest Pursuant to the Provisions of the *Ontario Heritage Act*, (R.S.O. 1990, 0.18), which By-Law was registered on title on June 12, 2015, as Instrument Number FC200577.

If you have any questions please do not hesitate to contact Ryan Leary, Senior Heritage Planner, Planning, Building & Licensing Services at 613 546 4291, extension 3233, or at rleary@cityofkingston.ca during regular business hours.

Yours truly,


John Bolognone
City Clerk

cc: L. Hurdle, Commissioner, Community Services
P. Agnew, Director, Planning, Building & Licensing
R. Leary, Senior Heritage Planner, Planning, Building & Licensing
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

Properties

PIN 36049 - 0075 LT
Description PT LT 329 ORIGINAL SURVEY KINGSTON CITY; PT LT 330 ORIGINAL SURVEY
KINGSTON CITY PT 1 13R6842; T/W FR652131; KINGSTON ; THE COUNTY OF
FRONTENAC
Address 133 135 CLERGY STREET
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 Mayor Bryan Paterson and John Bologone, City Clerk.

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

Statements

This application is based on the Municipality By-Law No. BYLAW NO. 2015-77 dated 2015/06/02.

Schedule: See Schedules

Signed By

| | | | | |
|------------------|---|----------------------------|--------|------------|
| Katie A. Donohue | 216 Ontario Street Kingston K7L 2Z3 | acting for Applicant(s) | Signed | 2015 06 12 |
| 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 | 2015 06 12 |
| Tel 613-546-4291 | | |
| Fax 613-546-6156 | | |

Fees/Taxes/Payment

| | |
|----------------------------|---------|
| Statutory Registration Fee | \$60.00 |
| Total Paid | \$60.00 |

File Number

Applicant Client File Number : LEG-C01-001-2015



I, John Bolognone, hereby certify this to be a true and correct copy of By-Law Number 2015-77 "A By-Law To Designate 135 Clergy Street East to be of Cultural Heritage Value and Interest pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)", (See Clause (9), Report Number 40) which was passed by the Council of the Corporation of the City of Kingston on June 2, 2015.

DATED at Kingston, Ontario
this 3rd of June, 2015



John Bolognone, City Clerk
The Corporation of the City of Kingston

By-Law Number 2015-77

**A By-Law to Designate 135 Clergy Street East to be of Cultural
Heritage Value and Interest pursuant to the Provisions of the *Ontario
Heritage Act* (R.S.O. 1990, 0.18)**

Passed: June 2, 2015

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 Council has consulted with its Municipal Heritage Committee and has approved the designation of the property located at 135 Clergy Street East, (Part of Lot 329, Original Survey; Part of Lot 330, Original Survey, Being Part 1 on Reference Plan 13R-6842; Together with FR652131; City of Kingston, County of Frontenac) on April 13, 2015; and

Whereas a notice of intention to designate the property was published in *The Kingston Whig-Standard*, which is a newspaper having general circulation in the municipality, on April 28, 2015; 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 designate as being of cultural heritage value and interest the following property in the City of Kingston: 135 Clergy Street East, more particularly described in Schedule "A" attached hereto and forming part of this By-law;
2. A copy of the designating 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. 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: periodic 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 in accordance with the City's Policy of Masonry Restoration in Heritage Buildings; caulking and weatherproofing."

4. The City reserves the right to install a designated property plaque or interpretive panel; and

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

Given First and Second Readings April 21, 2015

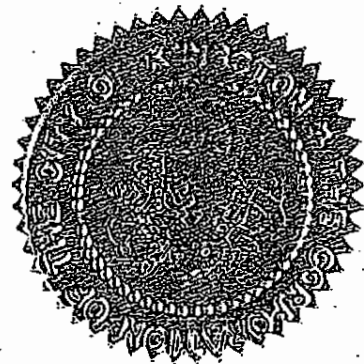
Given Third Reading and Passed June 2, 2015



John Bolognone
City Clerk



Bryan Paterson
Mayor



Schedule "A"

Description and Reasons for Designation

135 Clergy Street East

Civic Address: 135 Clergy Street East

Legal Description: Part of Lot 329, Original Survey; Part of Lot 330, Original Survey, Being Part 1 on Reference Plan 13R-6842; Together with FR652131; City of Kingston, County of Frontenac

Tax Roll Number: 101103008006200

Introduction and Description of Property

The property is located on the east side of Clergy Street, north of Princess Street and opposite St. Andrew's Church.

135 Clergy Street East is a handsome stone residence build c.1880. It has cultural heritage value through its physical/design values, its historical/associative values and its contextual values.

Statement of Cultural Heritage Value / Statement of Significance

Physical/Design Value

This property has physical/design value as a two-storey symmetrical-plan limestone residence with chimneys and parapets. It was originally a double house but was converted to a single house and office space in recent times.

The building is two full storeys in height with a high foundation. The symmetrical street facade has four bays, two for each of the original units. The medium pitch gable roof retains its original configuration with recently reconstructed stone chimneys and parapet walls at each gable end. The building's walls were laid in broken courses with squared stones. The front facade has a full length verandah and balcony, although the balcony is a later addition. One of the front upper windows has been enlarged to provide a doorway access to the balcony. In place of the original two main doorways an elaborate new single doorway of Neoclassical design has been inserted, with sidelights and semi-elliptical transom.

Most of the windows retain their original openings, voussoirs, and sills, although the voussoirs are partly concealed by verandah and cornice woodwork. Surviving shutter hardware on some of the windows indicates period shutters were present. The current windows all appear to be replacements.

Historical/Associative Value

The property has associative value through its connection with Robert Carson and his son, Robert James Carson. In 1865 the entirety of Lot 330, with 66 feet of frontage on Princess Street and 132 foot depth along Clergy Street, was sold to Robert Carson. It remained in the Carson family undivided until at least the 1930s. Robert Carson was a local merchant who established a grocery at his property at 244-246 Princess Street in the 1860s. After his death in 1870 this business was continued and expanded by his son Robert James Carson and other family members. The Carson grocery business continued for many years. Robert James Carson served as mayor of Kingston in 1880.

Title and assessment records do not reveal clear evidence for the construction date of this building. The 1850 Gibbs map shows a row of stores fronting Princess Street but no building at the location of the present 135 Clergy Street. Maps dating 1865 and 1875 show a building on Clergy Street near this site but the size and location appear to match. Street directories in the late 1880s identify tenants at 133 and 135 Clergy Street so it is likely that either Robert Carson or more likely his son Robert James Carson built a stone double house here as rental property. The 1892 Fire Insurance map clearly identifies the present two-storey stone building at 133 and 135 Clergy Street East.

Contextual Value

This property has important contextual value due to its substantial presence in this block of Clergy Street opposite St. Andrew's Church and Manse, and its contribution to streetscapes along both Clergy and Princess Streets that include a number of designated heritage buildings.

Cultural Heritage Attribute

The heritage attribute essential to the cultural heritage value and interest of this property include:

- the scale and massing of this limestone building;
- its roofline, chimneys, and parapets;
- the limestone masonry construction with many original window and door openings showing its symmetrical design;
- the full-length verandah fronting Clergy Street East;
- its prominent location on the east side of Clergy Street East opposite St. Andrew's Church; and
- its proximity to other heritage buildings and its contribution to the streetscapes along Princess and Clergy streets.