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Office of the City Clerk

January 18, 2019

Via email to: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]:

ONTARIO HERITAGE TRUST
JAN 24 2019
RECEIVED

Re: Heritage Designation – Bermingham-Harty House – 520 Princess Street

Pursuant to section 29 of the *Ontario Heritage Act*, attached please find the following:

1. By-Law Number 2017-143 entitled "A By-Law to Designate the Bermingham-Harty House at 520 Princess Street to be of Cultural Heritage Value and Interest pursuant to the provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)", registered on title on November 29, 2018, as Instrument FC272516.

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.

Sincerely,


John Bolognone
City Clerk
/s/

Enclosure – Registered By-Law

cc: 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

Properties

PIN 36035 - 0062 LT
Description PT LT 740-741 PL A12 KINGSTON CITY AS IN FR177631 S/T INTEREST IN FR177631;
KINGSTON ; THE COUNTY OF FRONTENAC
Address 520 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	2018 11 29
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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	2018 11 29
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Tel 613-546-4291

Fax 613-546-6156

Fees/Taxes/Payment

Statutory Registration Fee	\$64.40
Total Paid	\$64.40

File Number

Applicant Client File Number : LEG-C01-001-2018



I, **John Bolognone**, hereby certify this to be a true and correct copy of **By-Law Number 2017-143, "A By-Law To Designate the Bermingham-Harty House at 520 Princess 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 passed by the Council of The Corporation of the City of Kingston on September 4, 2018

Dated at Kingston, Ontario
this 6th day of September, 2018

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

By-Law Number 2017-143

**A By-Law To Designate the Bermingham-Harty House at 520
Princess Street to be of Cultural Heritage Value and Interest pursuant
to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)**

Passed: September 4, 2018

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 520 Princess Street, also known as the Bermingham-Harty House (Part Lots 740-741, Plan A12 as in FR177631; S/T Interest in FR177631; City of Kingston, County of Frontenac) on July 5, 2017; 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 July 25, 2017;

Whereas notice of objection to the proposed designation that was served to the Clerk of The Corporation of the City of Kingston on August 17, 2017, has been withdrawn; and

Whereas First and Second Readings of the By-Law were approved on July 11, 2017, and now that the notice of objection has been withdrawn, that the By-Law as amended proceed to a Third and Final Reading.

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: 520 Princess Street, also known as the Bermingham-Harty House, 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;

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."

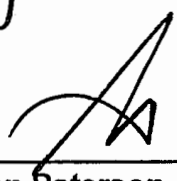
3. The City reserves the right to install a designated property plaque or interpretive panel; and
4. This By-Law shall come into force and take effect on the date of its passing.

Given First and Second Readings July 11, 2017

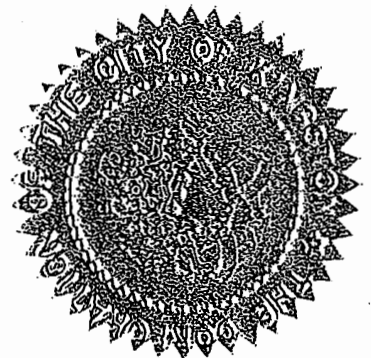
Given Third Reading and Passed September 4, 2018



John Bolognone
City Clerk



Bryan Paterson
Mayor



Schedule "A"**Description and Reasons for Designation****Birmingham-Harty House**

Civic Address: 520 Princess Street

Legal Description: (PIN 36035-0062 LT) Part Lots 740-741, Plan A12 as in FR177631; S/T Interest in FR177631; City of Kingston, County of Frontenac.

Property Roll Number: 10110200700060000000; 1011020070006000040; 1011020070006000030; 1011020070006000020

Introduction and Description of Property

The Birmingham-Harty House at 520 Princess Street is a two-and-a-half-storey, Queen-Anne-style house built in c1892. It has a brick exterior with cast-stone trim, a limestone foundation and an enclosed wooden porch. The house is located on the south side of Princess Street between University Avenue and Alfred Street.

Cultural Heritage Value

The Birmingham-Harty House is a representative example of the Queen Anne style that was popular in Canada in the late 19th century. It includes many features typical of the style, including steeply pitched roofs, a varied roof line with multiple gables, asymmetrical elevations with side entrances, tall narrow window openings arranged in pairs, a projecting front gable, and the use of contrasting textures and finishes.

The property is associated with The Honourable William Harty, a prominent Kingston businessman and politician who lived there from 1895 to 1903. Harty served in municipal, provincial and federal governments on behalf of Kingston. He and his brother-in-law Cornelius Birmingham operated the Canadian Locomotive and Engine Company, a key industry in late 19th- and early 20th-century Kingston.

The property is also associated with the late-19th century development of Princess Street and the city's western limits. Despite their current uses as commercial premises, the Birmingham-Harty House (520 Princess), together with the George Newlands House (506 Princess) and the mid-20th century infill between them (514 Princess) form a residential streetscape that reflects the history of residential development along Princess Street.

Cultural Heritage Attributes

The heritage attribute essential to the cultural heritage value of this property is the two- and-a-half-storey, Queen- Anne- style house built c1892. Key elements of the house include:

- its assymetrical, T-shaped plan and elevations;
- its steeply pitched roofs with front and side gables;
- the limestone foundation made of evenly coursed, cut stone blocks on the front elevation and roughly coursed stone on the side and rear elevations;
- the projecting, three-sided, two-storey window bay in the front gable and the projecting one-storey window bay on the west elevation;
- its decorative wood trim, including the panelled wooden bargeboard along the gable ends, and the wooden cornices and brackets along the top of projecting window bays;
- its tall narrow window openings, with paired window openings on the front and east side gables;
- the cast-stone label moulds on all window openings, with prominent keystones, and etched patterns and channelling;
- its surviving cut-stone window sills;
- the enclosed wooden porch at the west side, with its brackets, pillars, panelling, other scroll detailing, and arched transom window opening;
- its location and orientation facing Princess Street and in relation to the George Newlands House (506 Princess Street); and
- the visibility and legibility of its heritage attributes from Princess Street.