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Ontario Heritage Trust

Office of the City Clerk

May 15, 2024

Caraco (King Street) Corporation
c/o Blake Leew
234 Concession Street
Kingston ON, K7K 6W6
blake@caraco.ca

Dear Blake:

Re: Kingston City Council Meeting, May 7, 2024 – By-Law Number 2024-209; A By-Law to Designate the property at 390 King Street East/42 Queen Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

At the regular meeting on May 7, 2024, Council gave three readings to By-Law Number 2024-209; A By-Law to Designate the property at 390 King Street East/42 Queen Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-209, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-209
Notice of Passing

C.C. Ontario Heritage Trust
Ryan Leary, Heritage Planner

**Notice of Passing 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 under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, By-Law Numbers 2024-199, 2024-200, 2024-205, 2024-206, 2024-207, 2024-208, 2024-209, 2024-210, 2024-211 and 2024-323 were passed by Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-14 on May 7, 2024 to designate the following lands to be of cultural heritage value and interest:

112 Ordnance Street (Part Lot 413 Original Survey Kingston City Part 1 13R16746; City of Kingston, County of Frontenac), known as the Crowley House; and

114 Ordnance Street (Part Lot 413 Original Survey Kingston City, as in FR627659; S/T & T/W FR627659; Subject to an Easement over Part 1, 13R2702 in Favour of Parts 2-4, 13R2702 as in FC225922; City of Kingston, County of Frontenac), known as the Ordnance Street Terrace; and

2045 Middle Road (Part Lot 13 Con 2 Pittsburgh Part 1, 13R15440; City of Kingston, County of Frontenac), known as the Clarke House;

281 Princess Street (Part Lot 328 Original Survey Kingston City as in FR284763; City of Kingston, County of Frontenac), known as Turk's Furniture Store;

322 Division Street (Part Lot 24 Block PP Con 1 Kingston as in FR303826 Except the Easement therein; City of Kingston, County of Frontenac);

3578 Highway 38 (Part Lot 5 Con 7 Western Addition Kingston as in FR306279 Lying North of FR692323; City of Kingston, County of Frontenac), known as the Vanluven Farmstead;

390 King Street East / 42 Queen Street (Part Lot 93 Original Survey Kingston City; Part Lot 100 Original Survey Kingston City as in FR447579; City of Kingston, County of Frontenac);

3994 Howes Road (Part Lot 9 Con 5 Western Addition Kingston Part 3 13R549; City of Kingston, County of Frontenac), known as the Stevens Farmhouse;

75-77 Princess Street / 52-56 Queen Street (Lot 105 Original Survey Kingston City; Lot 106 Original Survey Kingston City; Part Lot 100 Original Survey Kingston City; Part Lot 3 Plan C4 Kingston City as in FR390311 S/T & T/W FR390311; City of Kingston, County of Frontenac), known as the Moore Building; and

84 Yonge Street (Lot 39 W/S Yonge St, Plan 54; City of Kingston, County of Frontenac), known as the McCammon Bakery.

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 during regular business hours.

Any person who objects to one or more of these By-laws may appeal to the Ontario Land Tribunal by giving the Tribunal and the City Clerk, within 30 days of the publication of this notice, a notice of appeal setting out the objection to the By-Law(s) and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

Dated at the City of Kingston

Janet Jaynes, City Clerk

This 14th day of May, 2024

City of Kingston

City Council voted in favour of this by-law on May 7, 2024

Written approval of this by-law was given on May 7, 2024 by Mayoral Decision Number 2024-14

(Clause 1, Report Number 31, March 5, 2024)

By-Law Number 2024-209

A By-Law to Designate the property at 390 King Street East/42 Queen Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: May 7, 2024

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 February 21, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Moore Building at 390 King Street East/42 Queen Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On March 5, 2024, *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 March 12, 2024, 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 All Three Readings and Passed: May 7, 2024



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation

Civic Address: 390 King Street East and 42 Queen Street

Legal Description: Part Lot 93 Original Survey Kingston City; Part Lot 100 Original Survey Kingston City as in FR447579; City of Kingston, County of Frontenac

Property Roll Number: 1011 030 090 03600 0000

Introduction and Description of Property

The subject property is an approximately 287 square metre lot located on the south-western corner of King East and Queen Streets in the City of Kingston. The two-storey stone commercial building on the site covers the entirety of the property. The structure was constructed as a rectangular building in the early 19th century (possibly as early as the 1820s), though the limestone building was extended later that century along Queen Street to create an "L", and then infilled in the 20th century to create the current rectangular building.

Statement of Cultural Heritage Value

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 physical value as a representative example of a two-storey limestone commercial building constructed on a prominent corner in Kingston's downtown. The limestone is of irregular lengths and laid in courses along the King Street façade, while the Queen Street facade's coursing is irregular. The King Street elevation includes two large segmentally arched openings with stone voussoirs on the ground floor and five rectangular window openings, equally spaced, on the second floor. There are smooth limestone quoins at the south edge of this elevation that extend from roof to mid door height. The Queen Street two-storey façade features nine bays, all with stone voussoirs, including two tall ground floor door openings.

The gable roof features an end gable with low parapet on the south, a cross-gable at the King and Queen Street intersection and another end gable on the west. As a result, the frontages display a continuous roofline. Wooden cornices run the length of King and Queen Street stone elevations. A plain wooden soffit, fascia and trim top both elevations with a single return on the west gable end.

The western end of the building has an upper fire escape and opening, not original, and a short wide opening with large voussoir. A brick chimney tops the west gable end, with its red brick flue integrated into the limestone, making for a noteworthy feature along Queen Street.

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 or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.

The property has historical/associative value as an early commercial building in the historic commercial core of the City. It sits at a prominent intersection and contributes to the community's understanding of commercial growth during the middle of the nineteenth century.

In the early days, the building housed a bank and manager's residence. As noted in the 1855 City of Kingston Directory: "The bank of Upper Canada occupies an unpretending edifice in the lower part of the city." Notable associates of the bank include Thomas Kirkpatrick, Bank Solicitor from 1837 to 1866 (and Mayor of Kingston in 1838 and 1847); John Macaulay, agent from 1822 to 1866 and William Hinds, bank manager 1855 to 1866, (and Director of the Cataraqui Cemetery Company, and Life Governor of the General Hospital and Frontenac Loan & Investment Society).

The Bank of Upper Canada's collapse in 1866, and a shift to more industrial uses of properties north of Princess Street, created a change in use for this property. From 1873 until 1908, the building housed a carriage works business, complete with blacksmith shop on the first floor, showrooms on the first and second floors and wood shop on the second floor. Although the property changed hands multiple times between 1907 and 1912, it housed a brass and iron foundry for much of the first half of the twentieth century.

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 property is important in maintaining and supporting the nineteenth-century character of the Queen Street streetscape, as well as the commercial core of the City of Kingston. The building shares a city block with other significant heritage properties and serves to anchor the historical streetscape of Queen Street west of King Street East. Its design and material also function as a physical connection to the long history of commercial and industrial use of Kingston's "North Block".

Heritage Attributes

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

- Early two storey "L" shape limestone commercial building with shallow-pitched cross-gable roof with gable ends at the south and west, including a cornice return on the west end;
- Two wide segmentally arched openings with limestone voussoirs;
- Regular fenestration pattern of window and door openings with limestone voussoirs; and
- Location on King Street East and Queen Street.