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Ontario Heritage Trust

Office of the City Clerk

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July 19, 2024

[REDACTED]  
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Dear [REDACTED]

**Kingston City Council Meeting, July 9, 2024 – By-Law Number 2024-321; A By-Law to Designate the Property at 319 & 321 King Street West to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act***

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At the regular meeting on July 9, 2024, Council gave three readings to By-Law Number 2024-321; A By-Law to Designate the Property at 319 & 321 King Street West to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-321, and the Notice of Passing.

Yours sincerely,

Janet Jaynes  
City Clerk  
/nb

Encl. By-Law Number 2024-321  
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 Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, By-Law Numbers 2024-304, 2024-305, 2024-306, 2024-313, 2024-314, 2024-315, 2024-316, 2024-317, 2024-318, 2024-319, 2024-320, 2024-321, and 2024-322 were passed by the Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-18 on July 9, 2024 to designate the following lands to be of cultural heritage value and interest:

**605-607 Bagot Street** (Lots 1-2 Plan D9, City of Kingston, County of Frontenac);

**45 Charles Street** (Lot 3 Plan D9, City of Kingston, County of Frontenac), known as the Calvary Church;

**384 Division Street** (Part Lot 8 W/S Division Street Plan A13 Kingston City as in FR335913 Except Part 1 13R19840; City of Kingston, County of Frontenac), known as the Hoagie House;

**3578 Unity Road** (Part Lot 4 Con 6 Western Addition Kingston as in FR615351 Except Part 6 EXPROP Plan RP1562; City of Kingston, County of Frontenac), known as the Raycroft Farmhouse;

**1553 Sunnyside Road** (Part Lot 21 Con 4 Kingston Part 2, 4 & 6 13R5186; S/T TKZ18724; City of Kingston, County of Frontenac), known as the Fairbanks Farmhouse;

**265 King Street East** (Part Lot 87 Original Survey Kingston City as in FR365246; S/T FR365246; City of Kingston, County of Frontenac), known as the Connell Building;

**275 King Street East** (Part Lot 64 Original Survey Kingston City; Part Lot 87 Original Survey Kingston City; Part 2 13R822; T/W FR693675; City of Kingston, County of Frontenac), known as the Wire Works Building;

**2785 Lee Road** (Part Lot 7-8 Con 7 Kingston as in FR201027 & FR206995 Lying East of FR572023 except FR206996 & FR261437; Description may not be acceptable in future as in FR201027; S/T the Rights of Owners of Adjoining Parcels, if any, under FR261437 & FR727675; S/T TKY17537; City of Kingston, County of Frontenac);

**375 Maple Ridge Drive** (Part Lot 4, Plan 682, Parts 4, 5 & 6, 13R18691; S/T Easement in Favour of the Municipal Corporation of the Township of Kingston over Part 4, 13R18691 as in FR88315; City of Kingston, County of Frontenac), known as the Carolan Farmhouse;

**730 Hillview Road** (Part Lot 2 Con 2 Kingston as in FR642683; City of Kingston, County of Frontenac), known as the John Grass Jr. House;

**149 Brock Street** (Part Lot 1 N/S Brock St Plan Selma Subdivision Kingston City Part 2 13R2296; S/T interest in FR689524; City of Kingston, County of Frontenac), known as the McKay Fur House;

**161 Brock Street** (Part Lot 2 N/S Brock St Plan Selma Subdivision Kingston City as in FR486361; T/W FR718826, City of Kingston, County of Frontenac), known as the Norris House;

**319 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR639441 Except the Easement therein; City of Kingston, County of Frontenac);

**321 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR226735 Except the Easement therein; City of Kingston, County of Frontenac); and

**347 Wellington Street** (Part Cataraqui Ordnance Water Lot Kingston Part 1, 13R9796 S/T FR393688; City of Kingston, County of Frontenac), known as the Davis Dry Dock.

**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](mailto:rleary@cityofkingston.ca) during regular business hours.

Any 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 16th day of July, 2024

City of Kingston

City Council voted in favour of this by-law on July 9, 2024

Written approval of this by-law was given on July 9, 2024 by Mayoral Decision Number 2024-18

Clause 2, Report Number 47, May 7

### **By-Law Number 2024-321**

#### **A By-Law to Designate the properties at 319 and 321 King Street West to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** July 9, 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 2010;

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 319 and 321 King Street West (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On May 7, 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 May 14, 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: July 9, 2024**



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**Janet Jaynes**  
City Clerk



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**Bryan Paterson**  
Mayor



**Schedule "A"**  
**Description and Criteria for Designation**

Civic Address:	319 King Street West
Legal Description:	Part Farm Lot 22 Con 1 Kingston as in FR639441 Except the Easement therein; City of Kingston, County of Frontenac
Property Roll Number:	1011 070 050 18900
Civic Address:	321 King Street West
Legal Description:	Part Farm Lot 22 Con 1 Kingston as in FR226735 Except the Easement therein; City of Kingston, County of Frontenac
Property Roll Number:	1011 070 050 19000

**Introduction and Description of Property**

The subject property, which spans two separate properties at 319 and 321 King Street West, is located on the north side of the street, at the northeast corner with Centre Street, in the City of Kingston. The approximately 280 and 318 square metre properties include a two-and-a-half storey duplex that completes the stucco-clad 1841 stone row houses known as Hales Cottages.

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

*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 two-unit building was constructed around 1900 to replace the western-most Cottage that was partially lost to fire. There is evidence that the eastern three bays (window, door window) on the ground floor were restored from the remains of the fifth Hales Cottage, with the majority of 321 being an addition. The 1908 Fire Insurance Plan indicates that portions of the foundation and most of the main floor are stone construction, while the rest of the duplex, including all the upper floors, are wood frame. A visual inspection of 319, confirms stone construction of the main floor rear wall, with stone voussoirs visible above the rear main floor and front and rear basement openings. From the façade it is difficult to confirm that the openings are in fact those from the original 1841 Cottage, however the front basement window and door openings of 319 King appear to be consistent with the rest of the row. Regardless, the subject property is a unique example of an infill building from the early 20<sup>th</sup> century that took inspiration, if not its partial form, from the adjacent row in its design.

Although the general impression is wood frame with yellow stucco and wood cladding, there are many visual vestiges of the original 1841 design, including its location in line with the row, the rhythm and consistent shape of window and door openings, particularly in the three eastern bays, and its limestone foundation and tall wide brick chimney (shared between 319 and 317).

Both buildings have arched transom windows over their main entrances, though 319 King is setback and includes flanking side lights that match those in the original row.

Portions of the ribbon board detail along the base of the main floor level of the original cottages extend along these properties as well. A second ribbon board runs horizontally along portions of both properties at the top of the main floors on the same plane as the original decorative roofline dentils. Each unit has a main floor Wyatt style window, which, though likely not original, reflects those on the other Hales Cottages. While differing in design, each of these properties include a covered portico adding to the sense of consistency and continuity with the Hales Cottages design.

The subject property sets itself apart from the Hales Cottages row, however, with many distinguishing features that indicate its later construction date. These include its two-and-a-half storey massing, frame construction, low-sloping portico roofs (not gabled), and the use of a single sash window on the left front of 321, as opposed to the Wyatt windows found on the row. Another key distinguishing feature is the lack of stone garden wall fronting King Street, which terminates at 317 King Street West.

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

As the evolution and expansion of the original 5-unit row of Hales Cottages, 319 and 321 King Street West are a significant part of the history of this important row of houses and are historically and visually linked to their neighbours to the east. This two-unit building contributes to the strong presence of early historic row housing at the corner of Centre Street and King Street West.

With its consistent setback from the public right-of-way, architectural detailing, and stucco cladding, 319 and 321 King Street West support the historic character of the area.

### **Heritage Attributes**

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

- Two-and-a-half storey massing with gable roof and wide shared brick chimney (319 only);
- Stucco cladding, including projecting ribbon boards;
- Window and door openings on the first and second floor that follow the rhythm of the row, including the Wyatt style windows on the façades main floors;
- The arched main entranceways with elliptical transom and side lights (319 only);
- Limestone foundation, and one basement window opening (319); and
- Limestone main floor front and rear walls at 319 and portions at 321.