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2024/07/22
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Ontario Heritage Trust

Office of the City Clerk

July 19, 2024

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Dear [REDACTED]

Re: Kingston City Council Meeting, July 9, 2024 – By-Law Number 2024-313; A By-Law to Designate the Property at 1553 Sunnyside Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

At the regular meeting on July 9, 2024, Council gave three readings to By-Law Number 2024-313; A By-Law to Designate the Property at 1553 Sunnyside Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-313, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-313
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 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 1, Report Number 47, May 7

By-Law Number 2024-313

A By-Law to Designate the property at 1553 Sunnyside Road 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 2016;

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Fairbanks Farmhouse at 1553 Sunnyside Road (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



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation
Fairbanks Farmhouse

Civic Address: 1553 Sunnyside Road
Legal Description: Part Lot 21 Con 4 Kingston Part 2, 4 & 6 13R5186; S/T
TKZ18724; City of Kingston, County of Frontenac
Property Roll Number: 1011 080 250 05000

Introduction and Description of Property

The Fairbanks Farmhouse, located at 1553 Sunnyside Road, is situated on the northwest side of the road, in the former Township of Kingston, now part of the City of Kingston. This 0.5-hectare rural property contains a one-and-a-half storey Ontario vernacular limestone farmhouse constructed circa 1840 for Caleb and Nancy Fairbanks. A one-and-a-half storey detached outbuilding was added to the property in 2012.

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 Fairbanks Farmhouse is a rare example of an early 19th century one-and-a-half storey Georgian influenced vernacular bank house (a house built into a hill) with an asymmetrical front façade that does not face the road. Typical of the Georgian architecture style, the building has a low-pitch side gable roof with a central medium-pitch gable topped with twin red brick chimneys at the roof ridge. The smaller gabled dormers were added in 2013. The entranceway, which is slightly off set from centre, is flanked by pairs of rectangular window openings with stone sills. A recent (2014) portico with a low-pitch gable roof columns, balustrade and spindles adorn the main entrance.

The house is constructed of limestone laid in even courses on the front façade and random courses on the side and rear elevations. The roughly coursed, randomly cut stones and lack of architectural embellishments are indicative of the rural, vernacular nature of this building's construction. The Fairbanks Farmhouse, however, is unusually large for an early vernacular farmhouse, with two extra bays on its primary elevation. It is also a rare example of a 19th century stone farmhouse built into a hill – bank house. The east elevation includes a partial lower-level addition that provides access to the basement level via the south elevation, which features two full-size windows and a door.

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 Fairbanks Farmhouse is associated with long time owners and local farming family, the Fairbanks. Caleb Fairbanks was born in Massachusetts in 1796 and fought on the American side during the War of 1812. His wife Nancy was born in New York state and is a descendant of United Empire Loyalists, including the well-known Powley family (Nancy's mother was Elizabeth Powley). They were married in 1814 and settled in the area in the early 19th century. Nancy received the deed to a 15-acre part of the lot in 1832. They built the stone house shortly thereafter. By 1851, the house was identified as a one-storey stone house. The Fairbanks were active farmers, growing wheat, peas, oats, buckwheat, corn, potatoes, and beans; producing hay, wool, fulled cloth, flannel, butter, cheese, and pork; and raising cows, horses, sheep, and pigs. Nancy and Caleb Fairbanks had 14 children. In the late 1850s, the Fairbanks acquired additional lands in the area. By 1861, it appears they had renovated/expanded the building to create a two-storey stone house. In 1862, Oliver Fairbanks, son of Caleb Fairbanks, obtained ownership. The property remained in the Fairbanks family, falling to Oliver Fairbanks Jr. in 1887 and to Isaac Fairbanks, who also obtained an additional 50 acres, in 1908. Members of the Fairbanks family are buried in the nearby Buck Cemetery.

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.

With its size, limestone construction, and presence on Sunnyside Road, the Fairbanks House shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area.

Heritage Attributes

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

- One-and-a-half storey limestone farmhouse built partially into a hill;
- Asymmetrical five-bay front façade with central entranceway;
- Original window and door openings featuring stone sills; and
- Low-pitch side gable roof with central medium-pitch gable and twin red brick chimneys.