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### Properties

PIN 36297 - 0069 LT

Description PT LT 26-27 CON 8 PITTSBURGH PT 1 13R7325 & AS IN FR174248, PTA405,  
EXCEPT PT 1 13R3659 & FR372898 (PCL 2); KINGSTON

Address 5307 HIGHWAY 15  
KINGSTON

**RECEIVED**  
2024/08/19  
(YYYY/MM/DD)  
Ontario Heritage Trust

### 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 Janet Jaynes, 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 2024 07 26

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

2024 07 26

Tel 613-546-4291

Fax 613-546-6156

### Fees/Taxes/Payment

Statutory Registration Fee \$69.95

Total Paid \$69.95


### File Number

Applicant Client File Number : LEG-G01-001-2024



I, **Derek Ochej**, hereby certify this to be a true and correct copy of **By-Law Number 2024-131, "A By-Law to Designate the property at 5307 Highway 15 to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act"**, which By-Law was passed by the Council of The Corporation of the City of Kingston on January 23, 2024, and approved by Mayoral Decision Number 2024-05 on January 23, 2024

**Dated** at Kingston, Ontario  
this 21st day of February, 2024

  
**Derek Ochej, Acting City Clerk**  
The Corporation of the City of Kingston

**By-Law Number 2024-131**

**A By-Law to Designate the property at 5307 Highway 15 to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** January 23, 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 December 5, 2023, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as St. Barnaby's Church and Cemetery at 5307 Highway 15 (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On December 12, 2023, *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 [December 12, 2023], 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. For the purposes of interpretation, the definition of 'Maintenance' (as defined in the City's Procedural By-Law for Heritage, as amended from time to time) will

also include the day-to-day cemetery operations undertaken in accordance with the *Funeral, Burial and Cremation Services Act* and accepted good practice.

4. 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.
5. This by-law will come into force and take effect on the date it is passed.

**Given all Three Readings and Passed: January 23, 2024**



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**Janet Jaynes**  
City Clerk



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**Bryan Paterson**  
Mayor



**Schedule "A"**  
**Description and Criteria for Designation**  
**St. Barnaby's Church and Cemetery**

Civic Address: 5307 Highway 15

Legal Description: Part Lots 26-27 Concession 8 Pittsburgh Part 1 13R7325 & as in FR174248, Part A405, Except Part 1 13R3659 & FR372898 (PCL 2); City of Kingston, County of Frontenac

Property Roll Number: 1011 090 010 22300 0000

**Introduction and Description of Property**

St. Barnaby's Church (also known as the Church of St. Barnaby) and Cemetery at 5307 Highway 15 is located on the east side of the road in the hamlet of Brewers Mills, formerly the Township of Pittsburgh, now the City of Kingston. The property is approximately 3 hectares and contains a single-storey rectangular-plan sandstone church built in 1873 with a small single-storey stone addition, built c. 1880s, a single-storey sandstone vault, and a single-storey brick building built in the 1980s, all surrounded by a cemetery.

**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.*

St. Barnaby's is a representative example of a late 19<sup>th</sup> century rural church with Gothic influences and a rare example in Kingston for its use of sandstone. The main block of the church is one storey high with a rectangular plan. The structure is constructed from coursed, squared sandstone with a medium pitched gable roof and adorned by a wood and metal tower (added soon after construction). The small single-storey vault to the south of the main church is also constructed of sandstone and includes a cruciform façade. A cemetery with various stone and metal monuments and markers dating from the 19<sup>th</sup> century is located to the south and east of the church. The mature trees, central drive and use as a cemetery add to the Picturesque and tranquil nature of the site.

*The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*

This property displays a high degree of craftsmanship and artistic merit, particularly derived from its Gothic Revival or Medieval influences, as evidenced by the lancet windows with radiating voussoirs and Gothic arch double-door. The five-storey tall

### **Non- Heritage Attributes**

Elements that are not included in the Statement of Cultural Heritage Value of the property include the:

- Single-storey brick building, built in the 1980s.