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OCT 24 1997

CORPORATION OF THE  
**CITY OF KINGSTON**

OFFICE OF THE

City Clerk

Our Ref. No. R01 EA

CITY HALL

KINGSTON, ONTARIO  
K7L 2Z3  
(613) 546-4291  
(613) 546-5232 (FAX)  
(613) 546-2916 (T D D)

October 17, 1997

**REGISTERED MAIL**

Ontario Heritage Foundation  
7th Floor  
77 Bloor Street West  
TORONTO, Ontario M7A 2R9

Dear Sirs:

***Re: By-Law No. 97-266, "A By-Law to Designate 83 Earl Street to be of Historical Value or Interest Pursuant to the Provisions of the Ontario Heritage Act"***

Pursuant to the provisions of Section 29 of the Ontario Heritage Act, I am enclosing herewith a copy of By-Law No. 97-266, "A By-Law to Designate 83 Earl Street to be of and Historical Value or Interest Pursuant to the Provisions of the Ontario Heritage Act", which By-Law was passed by City Council on September 23, 1997.

By-Law No. 97-266 including the Reasons for Designation, was registered in the Land Registry Office for the Registry Division of Frontenac (No. 13) on October 14, 1997, as Instrument No. 673963.

Yours truly,

Sheila Birrell  
City Clerk

/ki

Enclosure

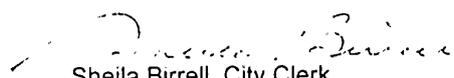
cc: Mr. C. Baldwin, Secretary, L.A.C.A.C.



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I, hereby certify this to be a true and correct copy *By-Law No. 97-266, "A By-Law to Designate 83 Earl Street to be of Historical Value or Interest Pursuant to the Provisions of the Ontario Heritage Act (Clause 1.1), Report No. 87, 1997"*, which *By-Law* was passed on September 23, 1997.

**DATED** at Kingston, Ontario  
this 2nd day of October, 1997

  
Sheila Birrell, City Clerk  
The Corporation of the City of Kingston

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BY-LAW NO. 97-266

A BY-LAW TO DESIGNATE 83 EARL STREET TO BE OF HISTORICAL VALUE OR INTEREST PURSUANT TO THE PROVISIONS OF THE ONTARIO HERITAGE ACT (CLAUSE 1. I), REPORT NO. 87, 1997)

PASSED: September 23, 1997

WHEREAS Notice of Intention to Designate 83 Earl Street to be of historical value or interest, pursuant to Section 29 of the Ontario Heritage Act, was sent by registered mail to the owner of the property on the 13th day of August, 1997 and to the Ontario Heritage Foundation on the 19th day of September, 1997;

AND WHEREAS said Notice was published in the Whig Standard on August 20, 1997;

AND WHEREAS the thirty day appeal period expired on September 19, 1997;

AND WHEREAS no objection to such designation has been received:

NOW THEREFORE the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. 83 Earl Street, in the City of Kingston is hereby designated to be of historical value or interest for the following reasons:

"This two storey stone house has a hipped roof with a parapet on the east side where it abuts a later building. The central entrance has a wooden inset of pilasters supporting an arch with curved sunburst motif in the quadrants. The large flanking windows have rectangular transoms. Above are three windows under voussoirs which meet the cornice. The side has irregular fenestration and a single door."

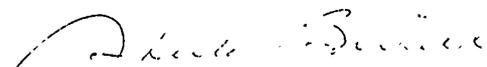
2. The subject property is more particularly described in the Schedule "A" attached hereto and forming part of this By-Law.

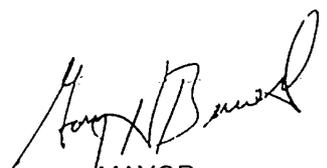
3. The City Solicitor is hereby authorized to cause a copy of this By-Law and the reasons for designation to be registered against the lands described in Schedule "A" attached hereto in the Land Registry Office at Kingston, Ontario.

4. The City Clerk is hereby authorized to cause a copy of this By-Law to be served on the owner of the lands described in Schedule "A" attached hereto and on the Ontario Heritage Foundation, and to cause notice of the passing of this By-Law to be published in the Whig Standard once for each of three consecutive weeks.

5. This By-Law shall come into force and take effect on the date of its passing.

GIVEN ALL THREE READINGS AND PASSED September 23, 1997

  
CITY CLERK

  
MAYOR

SCHEDULE "A" TO BY-LAW NO. 97-266

PROPERTY ADDRESS: 83 Earl Street  
Kingston, Ontario  
K7L 2G8

OWNER: [REDACTED]

LEGAL DESCRIPTION:

In the Province of Ontario, County of Frontenac, City of Kingston, and being composed of Parts of Lots 205 & 214 as shown on the Original Plan of said City, which said parcel or tract of land may be more particularly described as follows:

COMMENCING at a point in the north-easterly limit of Earl Street, distant therein southeasterly one & seventy-two hundredths (1.72) feet from the Lot line between Lots 205 & 214;

THENCE North 34 degrees & 21 minutes East to and along the centre of a twenty inch wall, a distance of fifty and forty-five hundredths (50.45) feet;

THENCE continuing north 34 degrees and 21 minutes east to and along the north-westerly face of an old stone wall a distance of eighty-one and five-tenths (81.5) feet more or less to a point in the Lot line between Lots 204 and 205;

THENCE North 56 degrees and 50 minutes west along said Lot line a distance of five and twenty-five hundredths (5.25) feet to the most easterly angle of Lot 214;

THENCE North 56 degrees and 50 minutes west along the Lot line between Lots 214 and 215, a distance of thirty-three and fifty-five hundredths (33.55) feet;

THENCE South 31 degrees and 14 minutes west to and along an old fence a distance of one hundred and thirty-two (132) feet more or less to Earl Street;

THENCE South 56 degrees and 50 minutes east along the north-easterly limit of Earl Street a distance of thirty and eighty-three hundredths (30.83) feet more or less to the point of commencement.

The above described parcel of land is shown outlined in red on the plan attached to Instrument Number 670253, said plan by David T. Humphries, O.L.S., dated the 30th day of May, 1953.

TOGETHER with a right-of-way as shown coloured yellow on the plan attached to Instrument Number 670253 which may be described as follows:

COMMENCING on Earl Street at the westerly limit of the above described parcel of land;

THENCE North 56 degrees and 50 minutes west along Earl Street a distance of five (5) feet;

THENCE North 34 degrees and 46 minutes east to and along the southeast face of house no. 87, a distance of forty-four (44) feet;

THENCE North 61 degrees east a distance of four and six-tenths (4.6) feet;

**THENCE** south 31 degrees and 14 minutes west a distance of forty-eight and one-tenth (48.1) feet more or less to the point of commencement.

**SUBJECT** to a right-of-way which may be described as follows:

**COMMENCING** on Earl Street at the westerly limit of the above described parcel of land;

**THENCE** north 31 degrees and 14 minutes east a distance of forty-eight and one-tenth (48.1) feet;

**THENCE** North 61 degrees east a distance of six and seven-tenths (6.7) feet; thence south 15 degrees and 18 minutes west a distance of ten and five-tenths (10.5) feet;

**THENCE** South 34 degrees and 46 minutes west a distance of forty-four (44) feet to Earl Street;

**THENCE** North 56 degrees and 50 minutes west along Earl Street a distance of three and five-tenths (3.5) feet more or less to the point of commencement.

The said right-of-way being shown coloured green on the plan attached to Instrument Number 76193.

**BEING** the same lands as described in Instrument Number 670253.