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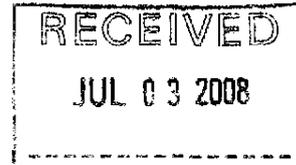


Clerk's Department  
**MEMORANDUM**

**TO:** Lance Thurston, Commissioner, Community Development Services

**FROM:** Carolyn Downs, City Clerk

**DATE:** 2008-06-27



**SUBJECT: AMENDMENT TO DESCRIPTION - DESIGNATION OF 370 KING STREET-  
ONTARIO HERITAGE ACT**

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Pursuant to Section 29(6) of the Ontario Heritage Act, attached please find a copy of By-Law No. 2008-106, "A By-Law to Amend By-Law No. 94-356, 'A By-Law to Designate 370 King Street West to be Architectural Value or Interest Pursuant to the Provisions of the Ontario Heritage Act (Clause 2, Report No. 152 1994)", to reflect its cultural heritage value (See Clause (1), Report No. 67)", which By-Law was registered on title on June 17, 2008, as Instrument No. FC58489.

If you require any further information, please do not hesitate to contact Marcus Letourneau, Heritage Planner.

Yours truly,

  
 Carolyn Downs  
City Clerk

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Enclosure

**Cc:** M. Letourneau, Heritage Planner, Culture & Heritage Division (with copy of By-Law)  
S. Powley, Committee Clerk (KMHC)  
Ontario Heritage Trust (with copy of By-Law)  
J. Moran, Records Clerk (By-Laws & Agreements) (with original By-Law)

**Our File No. P18**



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I, **Carolyn Downs**, hereby certify this to be a true and correct copy of **By-Law No. 2008-106**, "A By-Law To Amend By-Law No. 94-356, "A By-Law To Designate 370 King Street West To Be Of Architectural Value Or Interest, Pursuant To The Provisions Of The Ontario Heritage Act (Clause 2.. Report No. 152 1994)", to reflect its cultural heritage value (See Clause (1), Report No. 67)", which By-Law was passed by the Council of the Corporation of the City of Kingston on June 6<sup>th</sup>, 2008.

**DATED** at Kingston, Ontario  
this 12<sup>th</sup> day of June, 2008

**Carolyn Downs, City Clerk**  
The Corporation of the City of Kingston

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## BY-LAW NO. 2008-106

A BY-LAW TO AMEND BY-LAW NO. 94-356, "A BY-LAW TO DESIGNATE 370 KING STREET WEST TO BE OF ARCHITECTURAL VALUE OR INTEREST, PURSUANT TO THE PROVISIONS OF THE ONTARIO HERITAGE ACT (Clause 2., Report No. 152, 1994)" To Reflect Its Cultural Heritage Value)

PASSED: June 3, 2008

**WHEREAS** Section 30.1 of the *Ontario Heritage Act* provides for the updating of existing designation by-laws; and

**WHEREAS** 370 King Street West was a property owned by the City of Kingston which has now been split into two parcels; and

**WHEREAS** the cultural heritage values of 370 King Street West identified within the Building Conservation Master Plan, which was accepted by Council on October 19, 2004, are not reflected within the existing designation by-law; and

**WHEREAS** Council in Report No. 89, Clause 14 of City Council Meeting NO. 17-2006 approved Culture and Heritage Division staff developing an updated designation by-law for 370 King Street West which meets current provincial requirements and reflects the values identified within the *Building Conservation Master Plan*; and

**WHEREAS** the property previously known as 370 King Street West has been severed into two new properties known as 370 King Street West and 390 King Street West respectively

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

1. By-Law No. 94-356 of The Corporation of the City of Kingston entitled "A By-Law To Designate 370 King Street West To Be Or Architectural Value Or Interest, Pursuant To The Provisions Of The *Ontario Heritage Act*" is hereby amended as follows:

1.1. Clause 1 is hereby deleted in its entirety and replaced with the following, so that Clause 1 shall now read as follows:

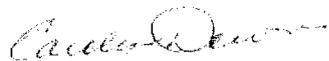
"1. To designate as being of cultural heritage value and significance the following properties in the City of Kingston:

- (a) 370 King Street West, the detailed description of which has been attached as "Schedule 'A'"

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

**GIVEN FIRST AND SECOND READINGS** May 20, 2008

**GIVEN THIRD READING AND FINALLY PASSED** June 3, 2008



CITY CLERK



MAYOR

**Schedule 'A'**  
**Description and Reasons for Designation**  
**370 King Street West**  
**Also known as the J.K. Tett Creativity Centre**

**Legal Description:**

Civic: 370 King Street West

Lot/Concession: Part of Lot 21, Concession 1 and Part of Water Lot in Lake Ontario in front of Lot 21, Concession 1, in the City of Kingston, County of Frontenac, designated as Parts 1, 7, 11, 12, and 13 on Reference Plan 13R-18458.

Property Number: 101107008000200

**Description of Property**

The approximately 1/3 acre property at 370 King Street West -- known also as the J.K. Tett Creativity Center -- is of cultural heritage value not only for its individual character defining elements, but as part of a cultural heritage landscape of an evolving nineteenth century industrial complex, which includes a larger cluster of protected heritage properties such as 390 King St West, 440 King Street West and the nearby remains of the HMS St. Lawrence. The cultural heritage value of the property at 370 King Street West lies in its design and physical values, as well in its contextual and historical associations. The property, with its limestone masonry building, represents an important part of a cultural heritage landscape of an evolving nineteenth century industrial complex which was described as the largest brewery and distillery in Upper Canada in the mid-nineteenth century. Elements that define the property's physical/design value include the general form of the J.K. Tett Centre Creativity Centre consisting of a long, relatively low structure with a medium-pitched gable roof. Important architectural details include limestone masonry construction including voussoired flat arches at openings; the vestiges of original elements of the buildings including stone corbels and voussoirs at filled-in window and door openings; and the squared stone quoins on the building. Historically, this property is associated with several nationally and locally important individuals and organizations such as James Morton; the Department of National Defence; and the City of Kingston. It is an important landmark on King Street West and on the Kingston Waterfront.

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

The cultural heritage value of the property at 370 King Street West lies in its design and physical values, as well in its historical and contextual associations.

370 King Street West's design value is derived from its importance as part of the core section in one of the few remaining nineteenth century industrial complexes in Kingston. It is important not only for its individual architectural elements, but also as part of a coherent whole. The property, with its limestone masonry building, represents an important part of a cultural heritage landscape of an evolving nineteenth century industrial complex which was described as the largest brewery and distillery in Upper Canada in the mid-nineteenth century. Elements that define the property's design value include the general form of the J.K. Tett Centre building consisting of a long, relatively low structure with a medium-pitched gable roof. Important architectural details include limestone masonry construction including voussoired flat arches at openings; the vestiges of original elements of the buildings including stone corbels and voussoirs at filled-in window and door openings; and the

squared stone quoins on the building. Indeed, despite the various 20<sup>th</sup> century renovations, the property can still be understood as a part of a brewery/distillery complex. The property also has value for its significant archaeological resources.

The property's historical/associative value stems from its association with several nationally and locally important individuals and organizations such as James Morton and the Department of National Defence. Until about 1900, this property was part of the Morton Brewery and Distillery complex. It has a historical association with James Morton, a leading nineteenth century Kingston industrialist and key player in the political and economic history of nineteenth century Upper Canada. After it closed as a brewery and distillery, the property went through several owners. Following the First World War, the building was acquired by the Federal government and incorporated into the Sydenham Military Hospital, and later became part of the regional headquarters of the Department of National Defence. In 1968, the property was purchased by the City of Kingston and has since seen multiple uses for various community social service and cultural activities.

It is an important landmark on King Street West and on the Kingston Waterfront. Strategically, the complex's proximity to the waterfront was a key aspect of the Brewery/Distillery's operations; the remains of a wharf once used by the complex is still visible.

### **Description of Heritage Attributes/Character-Defining Elements**

Elements that define the property's design value include:

- the general form of the J.K. Tett Creativity Centre Building consisting of a long, relatively low structure with a medium-pitched gable roof;
- limestone masonry construction including voussoired flat arches at openings;
- the vestiges of original elements of the buildings including stone corbels and voussoirs at filled-in window and door openings; and
- the squared stone quoins on the J.K. Tett Centre building.

Elements that define the historical value include:

- the continuing legibility of the site as part of a historical nineteenth century industrial complex;
- the association of the property with James Morton, leading nineteenth century Kingston industrialist;
- the association of the property with Government attempts to deal with the aftermath of the First World War in eastern Ontario; and
- the historical and current ongoing use of the property for community social service and cultural programs.

Elements that define the contextual value include:

- its core position in a culture heritage landscape which includes its location on the Lake Ontario shoreline and its location near by other protected heritage properties such 390 King Street West, 440 King Street West, known marine and terrestrial archaeological resources, and other surviving elements such as the remains of the waterfront wharf.
- Its role as a landmark on King Street West and on the Kingston Waterfront

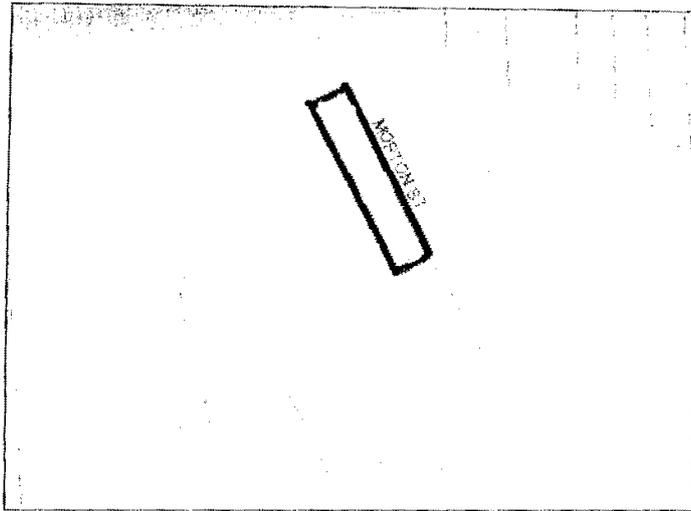


Figure 1: Location of Property

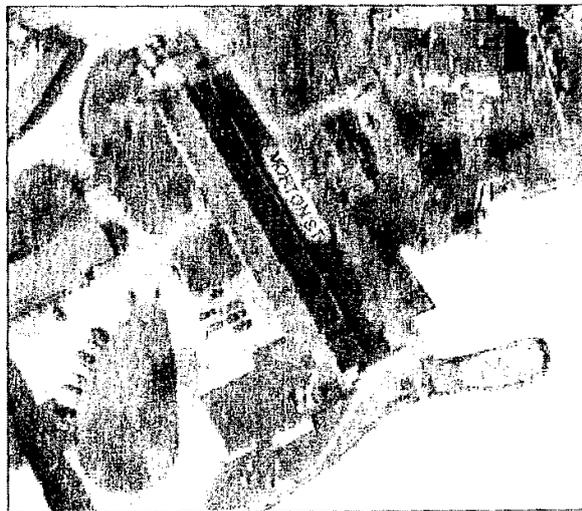


Figure 2: 2004 Ortho Image



**Figure 3:** J.K. Tett Creativity Centre (2006)