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Office of the City Clerk

December 14, 2022

Via email: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Re: Kingston City Council Meeting, December 6, 2022 – By-Law Number 2022-168; A By-Law to Designate the Robert Rose Farmstead Creekford Road to be of Cultural Heritage Value and Interest Pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)

At the regular meeting on December 6, 2022, Council gave third reading to By-Law Number 2023-168; A By-Law to Designate the Robert Rose Farmstead at 3448 Creekford Road to be of Cultural Heritage Value and Interest Pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18).

Attached please find By-Law Number 2023-168, and the Notice of Passing.

Yours sincerely,

A handwritten signature in black ink, appearing to read "John Bolognone".

John Bolognone
City Clerk
/nb

Encl. By-Law 2022-168
Notice of Passing

C.C. Erin Semande, 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 the Council of The Corporation of the City of Kingston passed By-Law Numbers 2022-168, 2022-169, 2022-170, 2022-171, 2022-172 and 2022-173 under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to designate the following lands to be of cultural heritage value and interest:

3448 Creekford Road (Part of Lot 2, Concession 4, Western Addition, Being Part 1 on Reference Plan 13R-1655, Former Township of Kingston, now City of Kingston, County of Frontenac), known as the Robert Rose Farmstead:

131 Johnson Street (Part Lot 249 Original Survey Kingston City as In Fr388519; S/T FR388519; City of Kingston; County of Frontenac), known as Mahood House:

3536 Princess Street (Part of Lot 3, Concession 3, Western Addition, Being Part 1 on Reference Plan 13R-14064, former Township of Kingston; now City of Kingston, County of Frontenac), known as the Leonard Carriage Shop:

3606 Princess Street (Part of Lot 4, Concession 3, Western Addition, Being Parts 1-3 on Reference Plan 13R-15465; T/W FR687210 except the Easement Therein re Part 5 on Reference Plan 13R-360. Former Township of Kingston; now City of Kingston, County of Frontenac), known as the Marshall Farmhouse:

1212 Woodbine Road (Part of Lot 3, Concession 3, Western Addition as in FR561465, former Township of Kingston, now City of Kingston, County of Frontenac), known as the Horning House:

1332 Woodbine Road ((Part Mile Square as in FR546223, former Township of Kingston, now City of Kingston, County of Frontenac), known as the Daniel E. Grass Frame Farmhouse:

Additional information, including a full description of the reasons for designation is available upon request from Ryan Leary, Acting Manager, Heritage Services at 613-546-4291, extension 3233, or at rleary@cityofkingston.ca during regular business hours.

Any person 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

John Bolognone, City Clerk

This 27th day of December, 2022

City of Kingston

By-Law Number 2022-171

A By-Law To Designate the Marshall Farmhouse at 3606 Princess Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)

Passed: December 6, 2022

Whereas Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas Council has consulted with its Municipal Heritage Committee and has approved the designation of the property located at 3606 Princess Street, also known as the Marshall Farmhouse (Part of Lot 4, Concession 3, Western Addition, Being Parts 1-3 on Reference Plan 13R-15465; TW FR687210 except the Easement Therein re Part 5 on Reference Plan 13R-360. Former Township of Kingston; now City of Kingston, County of Frontenac) on September 21, 2022; and

Whereas a notice of intention to designate the property was published in The Kingston Whig-Standard, which is a newspaper having general circulation in the Municipality, on October 18, 2022; and

Whereas no notice of objection to the proposed designation was served to the Clerk of The Corporation of the City of Kingston.

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

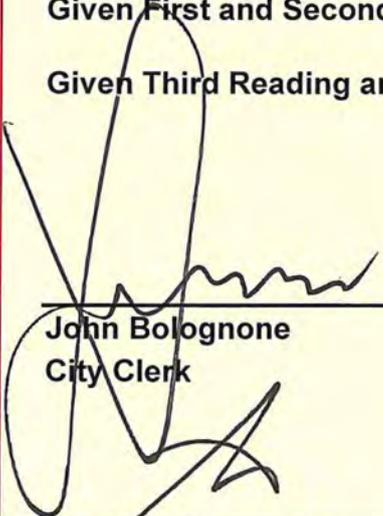
1. To designate as being of cultural heritage value and interest the following property in the City of Kingston: 3606 Princess Street, also known as the Marshall Farmhouse, more particularly described in Schedule "A" attached hereto and forming part of this By-law;
2. A copy of the designating by-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the land described in Schedule "A" hereto and on The Ontario Heritage Trust and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard;
3. In accordance with the City's Procedural By-Law for Heritage, as amended from time to time, those alterations defined as 'Maintenance' herein will not require

prior approval under the *Ontario Heritage Act*. For the purpose of interpretation, the term 'Maintenance' will include the following definition (or as otherwise defined in the City's Procedural By-law for Heritage): "Maintenance means routine, cyclical, non-destructive actions, necessary to slow the deterioration of a Protected Heritage Properties, including the following: periodical inspection; property cleanup; gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs, including replacement of asphalt shingles where there is little or no change in colour or design; repainting where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing."

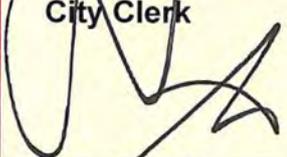
4. The City reserves the right to install a designated property plaque or interpretive panel; and
5. This By-Law shall come into force and take effect on the date of its passing.

Given First and Second Readings: October 4, 2022

Given Third Reading and Passed: December 6, 2022



John Bolognone
City Clerk



Bryan Paterson
Mayor



Schedule "A"

Description and Reasons for Designation

Marshall Farmhouse

Civic Address: 3606 Princess Street

Legal Description: Part of Lot 4, Concession 3, Western Addition, Being Parts 1-3 on Reference Plan 13R-15465; T/W FR687210 except the Easement Therein re Part 5 on Reference Plan 13R-360. Former Township of Kingston; now City of Kingston, County of Frontenac

Property Roll Number: 1011 080 220 03400 0000

Introduction and Description of Property

The Marshall Farmhouse, located at 3606 Princess Street was likely built prior to 1860. It is situated on the north side of the road, in the village of Westbrook in the former Township of Kingston, now part of the City of Kingston. The property contains a one-and-a-half storey stone house constructed between 1840 and 1860 and a wooden shed.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

The Marshall Farmhouse has physical/design value as a good example of a mid-19th century one-and-a-half storey Ontario vernacular limestone farmhouse. The limestone construction is evenly coursed with similar sized rough faced limestone on the front façade and uncoursed with varying sized limestone on the east and west elevations, typical of the Ontario vernacular style. Also characteristic of the Ontario cottage/vernacular style is the median-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The centrally located front entranceway is slightly inset with sidelights and rectangular transom, flanked by large window openings, also typical of the Ontario vernacular style. All window and door openings are segmentally arched with tall stone voussoirs and stone sills. The east and west elevations include two bays each featuring large window openings. A rear one-and-a-half storey stone wing with a gable roof has a covered entranceway facing the road.

Historical/Associative Value

The Marshall Farmhouse has historical/associative value through its association with the Marshall family and the Saul Brothers.

William Marshall acquired the deed to the 200-acre property in 1840, upon which he had a house built before 1860. William was an English-born farmer who married an

American – Almira. Marshall was a key member of the local community, serving as a Justice of the Peace. He was friends with Lord William Westbrooke and is credited with suggesting the name of Westbrooke for the community. In 1861 he also donated 1/6 acre to the Directors of the Wesleyan Methodist Church upon which the Westbrook Wesleyan Methodist Church had been built on in 1860 (3581 Princess Street).

In 1877 William left his land holdings to his son Francis (Frank). Frank was a Canadian-born Wesleyan Methodist farmer and apiarist. For such a small community, it is noteworthy that two apiarists were in residence; Mr. A. Bridge ran an apiary just east of the property called “Apple Grove Apiary”. The Marshall family continued to live on the property until at least 1891.

The Marshall Farmhouse was constructed by the Saul Brothers (Hugh and William). These Irish brothers came to Canada and first worked in Montreal for the Grant Trunk Railway Company before moving to the County of Lennox and Addington. They worked together as stone masons for over 40 years. Their first contract in the area was for John and Philip Booth to construct the Odessa Grist Mill. They built 22 churches - most of which are Gothic Revival style, 25 stone houses, several factories and three bridges in Kingston Township and Lennox & Addington County. The Saul Brothers also built the Westbrook Wesleyan Methodist Church for which William Marshall donated the land. Buildings constructed by the Saul Brothers are known for the exceptional masonry work and the Marshall Farmhouse is no exception and is a good example of their work.

Contextual Value

The Marshall Farmhouse has contextual value as it supports and maintains the rural character of the historic community of Westbrook. Its distinctive stone architecture makes it a landmark along Princess Street.

Cultural Heritage Attributes

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

- One-and-a-half storey house of evenly coursed limestone construction on the front façade and uncoursed limestone of varying sizes on the east and west elevations;
- Gable roof with wide eaves and frieze, with stone chimneys at the east and west gable ends;
- Central gable on the front façade containing a small arched window opening with radiating stone voussoirs and a stone sill;
- Symmetrical front façade with central entranceway flanked by large segmentally arched window openings with tall radiating stone voussoirs and stone sills;
- Two-bay east and west elevations;
- Window openings with radiating stone voussoirs and stone sills;

- Rear one-and-a-half storey stone wing with gable roof, and various rectangular door and window openings.

Non-cultural Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- Detached accessory buildings; and
- Pool with fencing.