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Office of the City Clerk

December 14, 2023

Via mail

[REDACTED]
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Re: Kingston City Council Meeting, December 5, 2023 – By-Law Number 2024-006; A By-Law to Designate 53 Princess Street and 365-369 King Street East to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act

At the regular meeting on December 5, 2023, Council gave three readings to By-Law Number 2024-006; A By-Law to Designate 53 Princess Street and 365-369 King Street East to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act.

Attached please find By-Law Number 2024-006, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-006
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 the Council of The Corporation of the City of Kingston on December 5, 2023, passed By-Law Numbers 2024-003, 2024-004, 2024-005, 2024-006, 2024-007, 2024-008, 2024-009, and 2024-010 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:

2518 Highway 38 (Part Lot 3-4 Concession 5; Part 1, 13R19328; S/T TKU12460; City of Kingston, County of Frontenac), known as the Robert Gibson Jr. Farm Complex;

2643 Bur Brook Road (Part Lot 10-11 Concession 4; Part 1 & 2, 13R2130; City of Kingston, County of Frontenac), known as the Jackson Mills Schoolhouse;

344-350 Bagot Street (Part Artillery Park Original Survey Kingston City Part 1 13R13119; S/T FR677127; City of Kingston, County of Frontenac), known as the Artillery Park Barracks;

53 Princess Street and 365-369 King Street East (Part Lot 58 Original Survey Kingston City as in FR399469, S/T FR399469, S/T Debts in FR395307; now City of Kingston, County of Frontenac), known as the Millan Building;

67 Kensington Avenue (Lot 35 Plan 131 Kingston City S/T interest in FR613314; now City of Kingston, County of Frontenac), known as the Burr House;

771 Kingston Mills Road (Part Lot 35-37 Con 4 Kingston as in FR477165 Except the Easement Therein; City of Kingston, County of Frontenac), known as the Burrowes House;

78-86 Princess Street (Part Lot 107 Original Survey Kingston City; Part Lot 110 Original Survey Kingston City; Part Lot 119 Original Survey Kingston City Part 1 13R13826; S/T interest in FR290929; now City of Kingston, County of Frontenac), known as the Orange Hall; and

85 Princess Street (Part Lot 111 Original Survey Kingston City as in FR652624; now City of Kingston, County of Frontenac).

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 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

This 12th day of December 2023

Janet Jaynes, City Clerk

City of Kingston

By-Law Number 2024-6

A By-Law to Designate 53 Princess Street and 365-369 King Street East to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: December 5, 2023

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 [October 3, 2023], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 53 Princess Street and 365-369 King Street East, known as the Millan Building (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [October 3, 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 [October 17, 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:

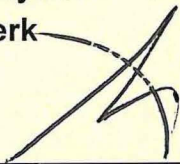
1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this 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. 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: December 5, 2023



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation
Millan Building

Civic Address: 53 Princess Street and 365-369 King Street East
Legal Description: PT LT 58 ORIGINAL SURVEY KINGSTON CITY AS IN
FR399469, S/T FR399469, S/T DEBTS IN FR395307; now
City of Kingston, County of Frontenac
Property Roll Number: 101103009005500

Introduction and Description of Property

The subject property, located at 53 Princess Street and 365-369 King Street East, contains the three-storey brick corner building, the Millan Building, built in 1877. It is situated on the northeast corner of Princess Street and King Street East in downtown Kingston. The property also contains a two-storey concrete block building (367 King Street East) of no heritage value, and a single storey limestone commercial building, built before 1865.

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

The Millan Building has physical/design value as a good example of a mid-19th century building purpose-built for both commercial and residential purposes. Character defining elements that reflect this value include its scale and massing. The corner red brick building with its facade at the corner and three bays along Princess Street and four bays on King Street is characterized by a double set of main doors, rising three storeys where Corinthian pilasters that terminate at triple brackets that support a mansard roofed tower section with a round-arched dormer. Another central door on Princess Street is marked by a simple wooden cornice. The window openings have stone sills, elliptical arches, which are framed by buff coloured brick. All those in the second storey have limestone keystones.

The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

The Millan Building has historical/associative value through its association with the well-known local architectural firm of Power and Son. The Power and Son firm designed many prominent downtown landmarks such as McIntosh Castle, Fire Hall No.1, and the Frontenac County Registry Office.

The Millan Building shows the firm's enthusiasm in designing a corner property in the heart of Kingston. With flashy Corinthian pilasters, multi-coloured bricks and stone sills and keystones, John and Joseph Power took advantage of the visibility and prominence of this corner location and enhanced the angled corner wall with a tower feature, where the main entrance is located.

The Millan Building was built for James Quigley who ran a business from the site until his death in 1905. His estate sold the building to L.W. Murphy who then sold it to brothers Leo D. Millan and Norman J. Millan in 1929. The Millan family has continued to own and care for this building for five generations, nearly 100 years.

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 a landmark.

The Millan Building, together with the single storey limestone building fronting on to King Street (which predates the brick corner building), has contextual value as it supports and maintains the historic and eclectic commercial character of downtown Kingston.

The Millan Building's distinctive brick and stone construction and architectural detailing, together with its prominent corner location, make it a landmark along Princess Street.

Cultural Heritage Attributes

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

- Three storey brick building, with symmetrical fenestration pattern;
- Mansard roof with dentilled cornice, and corbels;
- Central entrance bay with Corinthian pilasters and triple brackets leading to a mansard roofed tower with round-arched dormer;
- Architectural detailing, including multi-coloured bricks, limestone sills and keystones; and
- One storey limestone building (369) with voussoirs over large opening facing King Street East.

Non-cultural Heritage Attributes

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

- The two-storey concrete building (367).