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Office of the City Clerk

December 14, 2023

Via mail

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Re: Kingston City Council Meeting, December 5, 2023 – By-Law Number 2024-010; A By-Law to Designate the Burr House at 67 Kensington Avenue 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 2024-010; A By-Law to Designate the Burr House at 67 Kensington Avenue to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act.

Attached please find By-Law Number 2024-010, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-010
Notice of Passing

C.C. Ontario Heritage Trust
Ryan Leary, Heritage Planner

The Corporation of the City of Kingston

216 Ontario Street, Kingston, ON K7L 2Z3

Phone: (613) 546-4291 extension 1207

cityclerk@cityofkingston.ca

**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 2024-10

A By-Law to Designate the Burr House at 67 Kensington Avenue 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 2017:

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 67 Kensington Avenue, known as the Burr House (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

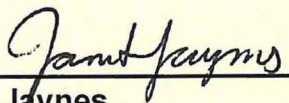
No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

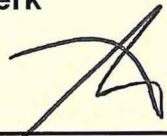
1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this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

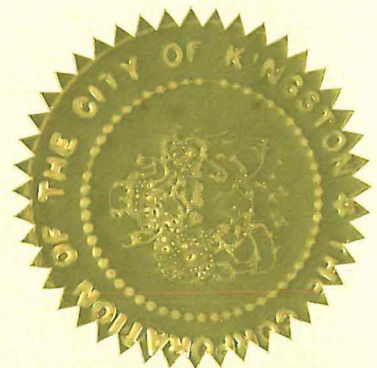
Given all Three Readings and Passed: December 5, 2023



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation
Burr House

Civic Address: 67 Kensington Avenue
Legal Description: Lot 35 Plan 131 KINGSTON CITY S/T INTEREST IN
FR613314; now City of Kingston, County of Frontenac
Property Roll Number: 101107005007800

Introduction and Description of Property

The subject property, located at 67 Kensington Avenue, contains a two-and-a-half storey brick house, built in 1927. It is situated on the east side of Kensington Avenue on a 700 square metre lot, south of Union Street.

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 Burr House at 67 Kensington Avenue has physical/design value as a good and unusually large example of the English Cottage or Colonial Revival style building. Character defining elements that reflect this value include its red-brick cladding with off-set main entrance with partially glazed door and round-arched hood set on a pair of substantial wooden brackets. The projecting two-and-a-half storey bay with its dramatic roofline set on smooth limestone brackets with a simple narrow frieze board, its multi-part windows with limestone lintels and sills and smaller multi-part elliptical arched window openings, limestone sill and brick voussoirs on the second floor, topped with arched transom reflect the English Cottage style of architecture.

Additional elements that demonstrate this value include the small circular window surrounded by a circular limestone frame with an inner recessed circle, at the apex of the gable. The foundation, built of unusually large random-sized rough ashlar stones, each one selected and placed to act as, or emphasize an architectural feature of the building.

The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The property has associative value with Dr. Ronald Burr, who owned and lived in the house from 1948 until 1992. His obituary notice speaks of the important role he played in the medical history of Queen's and Cancer treatment in Kingston and beyond:

Burr, Ronald C., Kingston, Ont.; Queen's University, 1932; diagnostic/therapeutic radiology; FRCS(Ed), FACR, FRCPC; RCAMC, WW II; first director, Kingston Regional Cancer Centre; former radiologist, Hotel Dieu Hospital and Prince Edward County Memorial Hospital; senior member, CMA. In 1966 he was named the first professor and first head of the Department of Therapeutic Radiology at Queen's after convincing the university that therapeutic radiology was a unique discipline requiring a separate department; it was the first of its kind in Canada. The Ronald C. Burr Wing was named in his honour at the Kingston General Hospital. Died Mar. 24, 1999, aged 94; survived by one daughter.

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.

67 Kensington Avenue is associated with well-known local architect William Newlands. Commissioned by then property owner Allan Meiklejohn in 1926, William Newlands designed this building during the last year of his life, making it one of his last contributions to Kingston architecture. Some of Newlands most well-known works include 169 King Street East, the former Pittsburgh Town Hall on Regent Street in Barriefield Village, the Victoria School (now Queen's School of Business) on Union Street and the Newlands Pavilion along the waterfront in Macdonald Park.

Cultural Heritage Attributes

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

- The two-and-a-half storey red brick building in the English Cottage/Colonial Revival style;
- Multi-part window pattern design, with various sized openings, some flat and some arched;
- Architectural detailing, including round-arched hood with wooden brackets over the off-set front door, limestone lintels, sills and brackets and brick voussoirs, arched transoms, circular window with limestone frame, and tall limestone foundation; and
- Dramatic bell-cast roof with slim frieze board, exposed rafter ends and smooth ashlar limestone brackets.