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Office of the City Clerk

December 14, 2023

Via mail

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

Dear [REDACTED]

[REDACTED] Kingston City Council Meeting, December 5, 2023 – By-Law Number 2024-009; A By-Law to Designate 85 Princess Street 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 2024-009; A By-Law to Designate 85 Princess Street to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act.

Attached please find By-Law Number 2024-009, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

- Encl. By-Law Number 2024-009
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 ext. 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 2024-9**A By-Law to Designate 85 Princess Street 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 known as [insert address] (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

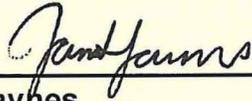
No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

Therefore, *Council* enacts:

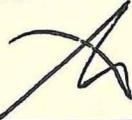
1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this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

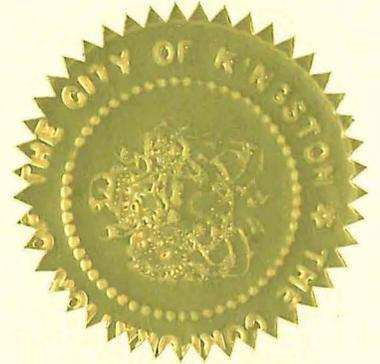
Given all Three Readings and Passed: December 5, 2023



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation

Civic Address: 85 Princess Street
Legal Description: Part Lot 111 Original Survey Kingston City as in FR652624;
now City of Kingston, County of Frontenac
Property Roll Number: 101103009005200

Introduction and Description of Property

The subject property, located at 85 Princess Street, contains the three-storey brick building (now painted brick), built before 1840. It is situated on the north side of Princess Street, between King Street East and Wellington Street in downtown Kingston and most recently the home of Wayfarer Books.

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.

85 Princess Street has physical/design value as a good example of an early-19th century brick building built for residential purposes then converted for multiple uses. Character defining elements that reflect this value include its scale and massing. The first storey of the building consists of a central recessed entranceway of double doors and transom, and flanking show windows framed in square wooden columns with brackets at their capitals, supporting the cornice over the first storey, all of which reflects the historic commercial use on this floor.

A high degree of craftsmanship and artistic merit are evident by the building's double hung sash windows made up of twenty-four panes. The top sash of every window has twelve lights and muntins in the pattern of a Gothic arch. There are also small pediment lintels over each window. Other aspects that demonstrate attention to detail and artistic merit include the cornice made of corbelled brick with brackets and a small blind arcade beneath. Three courses of corbelled brick form a central cornice detail above the third floor.

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

85 Princess Street has historical/associative value as it played a key role in arresting a substantial and devastating fire that destroyed the buildings to the west (89-95 Princess) in 1847. It is thought that due to its brick construction, the building slowed the progress of fire that raged to the west long enough to be quelled. This event and the building's role is particularly significant as the fire was moving east towards 77 Princess Street, which was then a fully occupied hospital.

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 property's design and brick construction have contextual value as it supports and maintains the historic and eclectic commercial character of downtown Kingston.

Its distinctive brick architectural detailing, together with its unusual windows, makes 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;
- Sash windows made up of twenty-four panes in the pattern of a Gothic arch;
- Architectural detailing, including small pediment lintels over each window, the cornice, with corbelled bricks, and brackets, and the small blind arcade; and
- Central recessed entranceway of double doors and transom, with flanking display windows framed by square wooden columns with brackets at their capitals, supporting the cornice over the first storey.