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Ontario Heritage Trust

Office of the City Clerk

April 10, 2024

Via mail

Lovell Holdings Ltd
52 Simcoe St N
Oshawa ON L1G 4S1

Dear Sir/Madam:

Re: Kingston City Council Meeting, April 2, 2024 – By-Law Number 2024-177; A By-Law to Designate the property at 156 Princess Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

At the regular meeting on April 2, 2024, Council gave three readings to By-Law Number 2024-177; A By-Law to Designate the property at 156 Princess Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-177, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-177
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 under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, By-Law Numbers 2024-172, 2024-176, 2024-177, 2024-178, 2024-179, 2024-180, 2024-181, 2024-182, 2024-183 and 2024-184 were passed by the Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-11 on April 2, 2024 to designate the following lands to be of cultural heritage value and interest:

888 Montreal Street (Part Farm Lot 5 Con West Great Cataraqui River Kingston as in FR372716; City of Kingston, County of Frontenac);

1070 Old Mill Road (Lots 71 to 279, Block 288 to Block 296, Blocks 298 to Block 302, All inclusive, Blocks 306, 309 and 310, Plan 1853; Part Blocks 281, 283, 284, 285, 286 and 287, Plan 1853; Part Old Mill Road, Plan 1853 (Closed by By-Law FC131563) and All of Greenbank Road, Cascade Drive, Marigold Drive, Bluebell Road, Bluebell Circle and Larkspur Place (Closed By By-Law FC131563), Plan 1853 and Part Lots 17 and 18, Con 3 Township of Kingston and Part Road Allowance between Lots 17 and 18 Con 3 Township of Kingston, Parts 1 to 12 Inclusive and Part 17, Plan 13R-20745, Save & Except Parts 1 to 7 Inclusive, Plan 13R20899 and Except Plan 13M115, Subject to an Easement in Gross Over Part 2, Plan 13R-20745 as in FC94827, Subject to an Easement in Gross Over Parts 4,5,9 and 12 Plan 13R-20745 as in FC111457, Subject to an Easement in Gross Over Parts 7 & 8 Plan 13R-20745 as in FC94826, Subject to an Easement in Gross Over Part 6, Plan 13R-20745 as in FR784498, Together with an Easement Over Part Lots 17 and 18 Con 3, Township of Kingston Parts 13, 14, 15 and 16 Plan 13R-20745 as in FR546947; City of Kingston, County of Frontenac), known as the Riley House;

156 Princess Street (Part Lot 290 Original Survey Kingston City as in FR147156; S/T interest in FR147156; City of Kingston, County of Frontenac), known as the Tolbert Buildin;

197-205 Wellington Street (Part Lot 118 Original Survey as in FR463319, S/T interest in FR197670; City of Kingston, County of Frontenac);

2432 4th Concession Road (Part Lot 19 Con 4 Pittsburgh as in FR500719; former Pittsburgh Township; City of Kingston, County of Frontenac), known as the Hysop House;

2555 Highway 38 (Part Lots 2 and 3 Concession 5 Kingston as in FR402561 (Firstly) Except Part 1, Plan 13R-8537 and Part 1, Plan 13R-19108; Except Parts 1 and 2, Plan 13R-22273; S/T FR101876 Amended by RP1060 Subject to an Easement as In FR272461 Subject to an Easement as in FR304250; now City of Kingston, County of Frontenac), known as the Davidson House;

490 Bagot Street (Lot 10 Plan B6 Kingston City; Part Lot 3 Plan B6 Kingston City as in FR431766; S/T FR431766; City of Kingston, County of Frontenac), known as the Millers Lane House;

711 King Street West (Lot 11 N/S King St Plan 54 Kingston City; Part Lot 11 S/S Baiden St, Plan 54 Kingston City as in FR346311; City of Kingston, County of Frontenac), known as the Schroeder House;

991 Sydenham Road (Part Lot 15 Concession 3 Kingston Parts 1 & 3 13R-5093; City of Kingston, County of Frontenac), known as the McGarvey House; and

512 Frontenac Street (Lot 586, Plan A12, Kingston; Part Lot 585, Plan A12, Kingston as in FR115877 Except Part 1 on Reference Plan 13R-13405, & as in FR131530 Except the Easement Therein; City of Kingston, County of Frontenac), known as the La Paroisse St. Francios d'Assise.

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

Janet Jaynes, City Clerk

This 9th day of April, 2024

City of Kingston

City Council voted in favour of this by-law on April 2, 2024

Written approval of this by-law was given on April 2, 2024 by Mayoral Decision Number 2024-11

Clause 2, Report Number 21, February 6, 2024

By-Law Number 2024-177

A By-Law to Designate the property at 156 Princess Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: April 2, 2024

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 January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 156 Princess Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On February 6, 2024, *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 February 13, 2024, 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

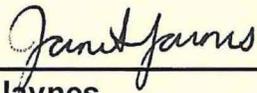
No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

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: April 2, 2024



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"**Description and Criteria for Designation
Tolbert Building**

Civic Address: 156 Princess Street
Legal Description: Part Lot 290 Original Survey Kingston City as in
FR147156;
S/T interest in FR147156; City of Kingston, County of
Frontenac
Property Roll Number: 1011 010 140 00200

Introduction and Description of Property

The property at 156 Princess Street is located on the south side of Princess Street, at the southwest intersection with Bagot Street, in downtown Kingston. The 230 square metre commercial property contains a three-storey limestone building, constructed in 1842, and a later two-storey brick rear addition (likely built in late 19th century), with frontage on both Princess and Bagot Streets.

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 Tolbert Building at 156 Princess Street, is a representative example of an early-19th century Georgian commercial building in downtown Kingston. Designed by architect Andrew Drummond, the building was intended to have two ground floor commercial units with residential above. While the ground floor elevations have been altered over the years, evidence of three openings remain along the Bagot Street frontage, aligning with the bays above.

The building's simple three-storey massing with five bays on Princess Street and four bays on Bagot Street, restrained architectural detailing (e.g., coursed, squared and hammer-dressed limestone masonry, stone windowsills and voussoirs, ashlar string courses, etc.), and the overall symmetry of architectural elements is typical of 19th century Georgian commercial rows on downtown main streets in Ontario. The building has a shallow hipped roof, currently obstructed by a large modern parapet.

Although the original/historic windows have been removed, the size and proportions of the original window openings, which have a vertical emphasis and decrease in height from the second to third floors, also reflect its Georgian commercial architectural style.

The later brick (now painted) addition to the rear, includes several fanciful, perhaps late Victorian, details that counter the restrained Georgian style of the main stone corner building and provides a rare juxtaposition. While the ground floor brick appears to be a later infill, the detailing on the second floor appears original, including brick pilasters, double rows of dentils voussoirs and string courses, as well as a wooden cornice at the roof with frieze, brackets and corbels, and a smaller wooden cornice between the floor levels with delicate dentils and rounded ends. As opposed to the organized and regularly placed window openings on the stone building, the brick building has three- bays in an almost random pattern, with the northern most bay isolated by brick pilasters that perhaps once coincided with an entrance detail on the ground floor (now lost).

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 limestone corner building has historical/associative value through its association with local architect and bank manager, Andrew Drummond, who designed the structure in 1841 for Eleanor Tolbert. Born and educated in Edinburgh Scotland, Drummond came to Canada in 1834. His primary employ was as a manager with the Bank of Montreal, but possibly through his position as a Trustee at Queen's College (later Queen's University), he explored his architectural interest by designing and bidding on various building tenders around Queens campus. While none of these buildings was realized, there is evidence that suggests that Drummond designed and lived in the double stone dwelling at 62-64 College Street as well as 156 Princess Street, making the Tolbert Building one of only a few known and extant works of Andrew Drummond in Kingston.

Eleanor Tolbert hired Drummond to design this building in 1841 for a mix of commercial and residential purposes. His design was constructed for Tolbert in 1842, who resided in a residential unit on the property with her daughter Mary until 1853, though she retained ownership of the property into the 1870s.

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 physically, functionally, visually or historically linked to its surroundings.

The property has contextual value for its role in supporting and maintaining the historic commercial character of this portion of Princess Street and downtown Kingston. The property also has contextual value for its continuity of at-grade commercial storefronts, zero lot line setbacks and three-storey massing, which link it physically, visually and historically to this block of Princess Street.

Heritage Attributes

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

- Coursed, squared and hammer-dressed limestone construction, with ashlar string courses of the three-storey, five-bay by four-bay massing with hipped roof;
- The flat roofed rear/Bagot Street brick addition, with various brick, stone and wooden detailing including dentils, pilasters, corbels and wooden cornices with brackets, dentils, frieze boards and rounded ends; and
- Original window openings on second and third floors, and evidence of window/door openings on ground floor of the Bagot Street elevation, with voussoirs and sills.