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Office of the City Clerk

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2024/04/11
(YYYY/MM/DD)
Ontario Heritage Trust

April 10, 2024

Via email: [REDACTED]

[REDACTED]
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[REDACTED]

Dear [REDACTED]

Re: Kingston City Council Meeting, April 2, 2024 – By-Law Number 2024-180; A By-Law to Designate the property at 2555 Highway 38 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 2024-180; A By-Law to Designate the property at 2555 Highway 38 to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-180, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-180
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 2024-180

A By-Law to Designate the property at 2555 Highway 38 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 2016;

On January 24, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Davidson House at 2555 Highway 38 (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

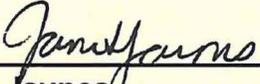
No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

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 Davidson House

Civic Address:	2555 Highway 38
Legal Description:	Part Lots 2 and 3 Concession 5 Kingston as in FR402561 (Firstly) Except Part 1, Plan 13R8537 and Part 1, Plan 13R19108; Except Parts 1 and 2, Plan 13R22273; S/T FR101876 Amended by RP1060 Subject to an Easement as In FR272461 Subject to an Easement as in FR304250; City of Kingston, County of Frontenac
Property Roll Number:	1011 080 230 20800

Introduction and Description of Property

The Davidson House, located at 2555 Highway 38, is situated on the south-west side of the road just south of Unity Road and the hamlet known as Glenvale, in the former Township of Kingston, now part of the City of Kingston. This 57-hectare rural property contains a one-and-a-half storey brick farmhouse with a modern single-storey wing (and a number of 20th century rural outbuildings), built in 1860 for the Davidson family.

Joseph and Mary Ann Davidson purchased the property in 1853 and constructed the house in 1860. Mary Ann was a member of the Ellerbeck family who were well-known early United Empire Loyalist settlers to the area. The Davidson family lived and farmed this property for 30 years.

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 Davidson House is a rare example of a one-and-a-half storey, mid-19th Century, Ontario vernacular brick farmhouse with various architectural embellishments that display a high level of craftsmanship. Typical of this style is the symmetrical façade, gabled roof with twin chimneys, a central medium-pitched gable with a window and entranceway underneath that are flanked by large rectangular window openings.

The Davidson House is unusual for a vernacular building, however, as the bricks are laid in a Flemish bond pattern (i.e. header, stretcher, header). Further, the main entrance is wide with side lights and includes an elliptical brick arch with fanlight. The central window opening above is also arched with brick voussoirs. The high degree of craftsmanship is also evident by the elaborate cornice with wide frieze board, deep soffits, decorative dentils and eave returns.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The Davidson House has contextual value as it supports and maintains the scenic and rural character of the road.

Heritage Attributes

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

- One-and-a-half storey red brick farmhouse in Flemish bond pattern, with limestone foundation;
- Medium-pitch side gable roof with a central medium-pitch gable and two brick chimneys located on the gable ends;
- Elaborate cornice with dentils and wide frieze board;
- Symmetrical front façade with central entranceway flanked by large window openings;
- Central arched window opening in the gable, with brick voussoirs and stone sill, and elliptical arched central entranceway with side lights and fanlight (not original);
- Rectangular window openings throughout with stone sills and brick voussoirs;
- South elevation with two small window openings in the gable and two larger window openings on the first storey; and
- Visibility and legibility of the heritage attributes from the roads.

Non-Heritage Attributes

Elements that are not included in the Statement of Cultural Heritage Value of the property include its:

- Modern detached outbuildings, pool and fences.