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RECEIVED
2024/05/16
(YYYY/MM/DD)
Ontario Heritage Trust

Office of the City Clerk

May 15, 2024

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Dear [REDACTED]

Re: Kingston City Council Meeting, May 7, 2024 – By-Law Number 2024-207; A By-Law to Designate the property at 322 Division Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

At the regular meeting on May 7, 2024, Council gave three readings to By-Law Number 2024-207; A By-Law to Designate the property at 322 Division Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-207, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-207
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 2024-199, 2024-200, 2024-205, 2024-206, 2024-207, 2024-208, 2024-209, 2024-210, 2024-211 and 2024-323 were passed by Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-14 on May 7, 2024 to designate the following lands to be of cultural heritage value and interest:

112 Ordnance Street (Part Lot 413 Original Survey Kingston City Part 1 13R16746; City of Kingston, County of Frontenac), known as the Crowley House; and

114 Ordnance Street (Part Lot 413 Original Survey Kingston City, as in FR627659; S/T & T/W FR627659; Subject to an Easement over Part 1, 13R2702 in Favour of Parts 2-4, 13R2702 as in FC225922; City of Kingston, County of Frontenac), known as the Ordnance Street Terrace; and

2045 Middle Road (Part Lot 13 Con 2 Pittsburgh Part 1, 13R15440; City of Kingston, County of Frontenac), known as the Clarke House;

281 Princess Street (Part Lot 328 Original Survey Kingston City as in FR284763; City of Kingston, County of Frontenac), known as Turk's Furniture Store;

322 Division Street (Part Lot 24 Block PP Con 1 Kingston as in FR303826 Except the Easement therein; City of Kingston, County of Frontenac);

3578 Highway 38 (Part Lot 5 Con 7 Western Addition Kingston as in FR306279 Lying North of FR692323; City of Kingston, County of Frontenac), known as the Vanluven Farmstead;

390 King Street East / 42 Queen Street (Part Lot 93 Original Survey Kingston City; Part Lot 100 Original Survey Kingston City as in FR447579; City of Kingston, County of Frontenac);

3994 Howes Road (Part Lot 9 Con 5 Western Addition Kingston Part 3 13R549; City of Kingston, County of Frontenac), known as the Stevens Farmhouse;

75-77 Princess Street / 52-56 Queen Street (Lot 105 Original Survey Kingston City; Lot 106 Original Survey Kingston City; Part Lot 100 Original Survey Kingston City; Part Lot 3 Plan C4 Kingston City as in FR390311 S/T & T/W FR390311; City of Kingston, County of Frontenac), known as the Moore Building; and

84 Yonge Street (Lot 39 W/S Yonge St, Plan 54; City of Kingston, County of Frontenac), known as the McCammon Bakery.

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 14th day of May, 2024

City of Kingston

City Council voted in favour of this by-law on May 7, 2024

Written approval of this by-law was given on May 7, 2024 by Mayoral Decision Number 2024-14

Clause 1, Report Number 31, March 5, 2024

By-Law Number 2024-207

A By-Law to Designate the property at 322 Division Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: May 7, 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 February 21, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 322 Division Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On March 5, 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 March 12, 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

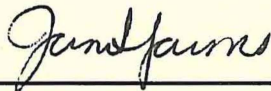
No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

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.

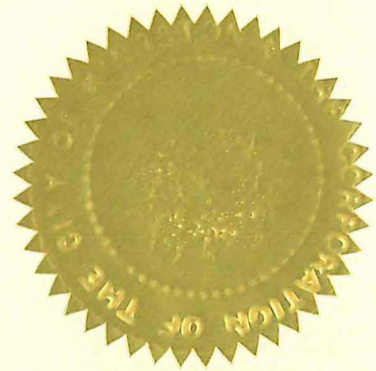
Given All Three Readings and Passed: May 7, 2024



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation

Civic Address: 322 Division Street
Legal Description: Part Lot 24 Block PP Con 1 Kingston as in FR303826
Except the Easement therein; City of Kingston, County of
Frontenac
Property Roll Number: 1011 030 020 05400

Introduction and Description of Property

The property at 322 Division Street is located on the west side of Division Street, just north of Hamilton Street in the City of Kingston. The 265 square metre property contains a one-and-a-half-storey limestone residential building, constructed circa 1852, with a later two-storey rear addition.

Statement of Cultural Heritage Value

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.

Built on lands owned by The Reverend Robert McDowall in the early 1850s, the property has design value as an early and representative local example of a one-and-a-half-storey vernacular limestone residential building with a Georgian influence. Despite the removal of the two gable-end chimneys, the residence retains all the symmetry and balance characteristic of Georgian architecture. This style is expressed through the structure's medium-pitch side gable roof with central gable, centrally placed first-floor entrance, flanked by large symmetrical window openings on the façade, and a half-round arched central window opening under the gable on the second floor. The surviving window and door openings, and hammer-dressed, evenly squared limestone exterior and early date, make it a representative example of this style of architecture in Kingston.

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 scale and character of this portion of Division Street. Located prominently on the street and as one of a few limestone buildings along this stretch of Division, 322 Division Street contributes to and supports the historic scale and character of Division Street

south of Concession Street, which traditionally formed the western boundary to the city. The property is visually linked to this section of Division Street, which is defined by 19th and early 20th century residential buildings with shallow setbacks from the public right-of-way, whose overall scale and character create a gateway to the historic downtown. Associated properties that contribute to the heritage character of the area include 281, 293, 371, 375, 381, and 384 Division.

Heritage Attributes

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

- One-and-a-half-storey massing with medium-pitch side gable roof and central steeply-pitched gable;
- Squared and hammer-dressed limestone construction, laid in even courses on the façade and laid randomly on side elevations;
- Semi-circular arched central window opening under gable on façade, with stone sill and radiating voussoirs;
- Original window and door openings on the façade with stone sills and voussoirs; and
- Original window openings on the second floor of the side elevations, with stone voussoirs and wooden sills.