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Ontario Heritage Trust

Office of the City Clerk

June 4, 2024

Samuel Goodman Kingston Ltd.
c/o Saranna Company Limited
33 Arran Cres
North York ON M2M 2W8

Dear Sir/Madam:

Re: Kingston City Council Meeting, May 21, 2024 – By-Law Number 2024-223; A By-Law to Designate the property at 123-129 Princess Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

At the regular meeting on May 21, 2024, Council gave three readings to By-Law Number 2024-223; A By-Law to Designate the property at 123-129 Princess Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-223, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-223
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 2024-222, 2024-223, 2024-224, 2024-225, 2024-226, 2024-227, 2024-228, 2024-229, 2024-230 and 2024-231 were passed by the Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-15 on May 21, 2024 to designate the following lands to be of cultural heritage value and interest:

1193 Front Road (Part Lot 2-3 Con Broken Front Kingston as in FR206281; City of Kingston, County of Frontenac), known as the Charles Grass House;

123-129 Princess Street (Part Lots 222 & 229 Original Survey, T/W Interest in FR91600; City of Kingston, County of Frontenac), known as the Foster Building;

1359 Unity Road (Part Lot 27 Con 5 Kingston as in FR571998; City of Kingston, County of Frontenac), known as the Hunter Farmhouse:

26-34 Barrie Street (Part Lots 1-3 Plan Sampson Subdivision Kingston City; Part Farm Lot 24 Block E Con 1 Kingston as in FR256272, FR183171, FR426331 Except Parts 6 & 7 13R16366; T/W FR624859; T/W FR256272; S/T FR728445; T/W FR728446; City of Kingston, County of Frontenac), known as the Cappon, Bibby and Strange Houses:

2638 Kepler Road (Part Lot 10 Con 7 Kingston Part 1, 13R6458; City of Kingston, County of Frontenac), known as the Powley Farmhouse:

62-74 Barrie Street (Part Lot A Plan A20 Kingston City as in FR155972 Except the First Easement Therein, as in FR155571 Except the First Easement Therein, as in FR144588 Except the Second Easement Therein; Part Lot 6-9 Plan Sampson Subdivision Kingston City as in FR155570, FR155569, FR257949 & FR231725 Except Parts 2 & 3 13R16366 & FR294588; S/T Interest in FR144588; S/T Interest in FR155569; S/T Interest in FR155570; S/T Interest in FR155571; S/T Interest in FR155972; S/T & T/W FR155569; City of Kingston, County of Frontenac), known as the Chown, Doran, Robinson, Mooers and Walkem Houses:

9 Colborne Street (Part Lot 382 Original Survey Kingston City as in FR691014; T/W FR691014, City of Kingston, County of Frontenac); and

11 Colborne Street (Part Lot 382 Original Survey Kingston City as in FR463215; T/W FR463215, City of Kingston, County of Frontenac):

22 Colborne Street (Part Lot 340 Original Survey Kingston City Parts 1, 2 13R4728; S/T FR352314; City of Kingston, County of Frontenac):

30 Colborne Street (Part Lot 341, Original Survey, being Part 3, 13R19716; City of Kingston, County of Frontenac), known as the Queen Street Methodist Church Parsonage:

37 Kennedy Street (Part Lot 1 S/S Union St & N/S Kennedy St Plan 54 Kingston City as in FR150913; City of Kingston, County of Frontenac), known as the Henely Cameron House:

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 22 day of May, 2024

City of Kingston

City Council voted in favour of this by-law on May 21, 2024

Written approval of this by-law was given on May 21, 2024 by Mayoral Decision Number 2024-15

(Clause 2, Report Number 41, April 2, 2024)

City of Kingston By-Law Number 2024-223

A By-Law to Designate the property at 123-129 Princess Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: May 21, 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 March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the properties at 123-129 Princess Street, known as the Foster building, (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On April 2, 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 April 9, 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:

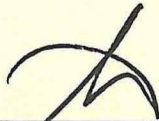
1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this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

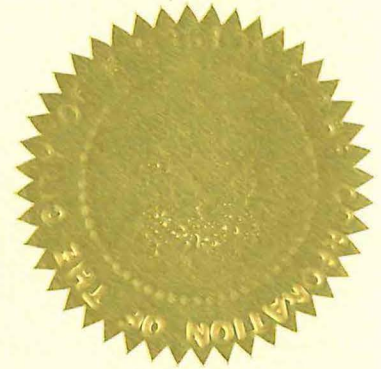
Given All Three Readings and Passed: May 21, 2024



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation
Foster Building

Civic Address: 123-129 Princess Street
Legal Description: Part Lots 222 & 229 Original Survey, T/W Interest in FR91600; City of Kingston, County of Frontenac.
Property Roll Number: 1011 030 090 02800

Introduction and Description of Property

The property at 123-129 Princess Street is located on the north side of Princess Street on the block bound by Bagot, Queen and Wellington streets in downtown Kingston. The approximately 580 square metre property contains a three-storey Georgian-style commercial row, constructed in 1854 for local businessman, Abraham Foster as a rental.

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 Foster building is a representative example of a mid 19th century Georgian-style commercial row in downtown Kingston. Its simple three-storey massing with 6 bays, restrained architectural detailing (e.g., coursed, squared and smooth ashlar dressed limestone masonry façade, stone windowsills, flat headed window openings with stone voussoirs, stone cornice with rolled molding and brackets), and the overall impression of balance and symmetry is typical of 19th century Georgian commercial rows on downtown main streets in Ontario.

Although the original windows have been removed, and the oriel window is likely a later addition, the size and proportions of the original window openings reflect the vertical emphasis of the Georgian commercial architectural style, and the decrease in height from the second to third floors.

Despite the replacement of many of the historic storefronts along the row, their commercial use maintains the historic development pattern in downtown Kingston (i.e., commercial at grade with residential above).

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.

With its three-storey scale, limestone construction and setback close to the street, the Foster building has contextual value for its role in supporting and maintaining the historic commercial character of Princess Street and downtown Kingston. The property also has contextual value for its continuity of roofline, window lines, and Georgian commercial style, which link this property physically and visually to this block of Princess Street, including the flanking 19th century stone buildings.

Heritage Attributes

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

- Three-storey row massing with gable roof with stone parapet walls;
- Coursed, squared and ashlar dressed limestone masonry façade;
- Original window openings on the façades with stone voussoirs and stone windowsills; and
- Stone cornice above the third floor, punctuated by decorative stone brackets and rolled molding.