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Office of the City Clerk

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June 4, 2024

[REDACTED]  
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Dear [REDACTED]

**Re: Kingston City Council Meeting, May 21, 2024 – By-Law Number 2024-226; A By-Law to Designate the property at 2638 Kepler Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act***

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At the regular meeting on May 21, 2024, Council gave three readings to By-Law Number 2024-226; A By-Law to Designate the property at 2638 Kepler Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-226, and the Notice of Passing.

Yours sincerely,

Janet Jaynes  
City Clerk  
/nb

Encl. By-Law Number 2024-226  
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](mailto: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)

### **By-Law Number 2024-226**

## **A By-Law to Designate the property at 2638 Kepler Road 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 2016;

On March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Powley Farmhouse at 2638 Kepler Road (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**



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**Janet Jaynes**  
City Clerk



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**Bryan Paterson**  
Mayor



**Schedule "A"**  
**Description and Criteria for Designation**  
**Powley Farmhouse**

Civic Address: 2638 Kepler Road  
Legal Description: Part Lot 10 Con 7 Kingston Part 1, 13R6458; City of Kingston, County of Frontenac  
Property Roll Number: 1011 080 240 18910

**Introduction and Description of Property**

The Powley Farmhouse, located at 2638 Kepler Road, is situated on the north side of the road, in the former Township of Kingston, now part of the City of Kingston. This 0.4 -hectare rural residential property contains a one-and-a-half storey limestone Ontario Gothic Revival Cottage style farmhouse built circa 1860 for farmers Jacob and Nancy Powley.

**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 farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, medium-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The building is well-crafted, with a demonstrable craftsmanship, visible in the attention to construction methods and materials. Particularly notable is the evenly coursed limestone construction and fine masonry work on the façade.

The centrally located front entranceway is flanked by large window openings, which is typical of the Ontario Gothic Revival Cottage style. All window and door openings have tall stone voussoirs and stone sills. The west elevation includes two bays each featuring large window openings.

A sympathetic one storey wing, clad in board and batten siding, extends from the east elevation and features a medium-pitch cross gable roof with three large windows facing the road and a side entrance with porch. The wing also has a limestone chimney at the gable end and a stone-clad foundation.

Despite displaying architectural elements common to the style, the Powley Farmhouse also demonstrates several unusual elements. For example, its oversized main entrance is slightly recessed with side lights and transom. The entrance and flanking window openings have flat heads embellished with tall stone voussoirs. The central window opening above the main entrance has a contrasting, dramatic half round arch with radiating stone voussoirs.

The property also includes a large, detached garage, which is not identified as supporting the heritage value of the property.

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

The Powley family were descendants of J. Jacob Powley, a United Empire Loyalist and early settler to Kingston Township. The Powleys were a notable local family in the area, who donated portions of their lands for a school and a Methodist Episcopal Church. Jacob Powley constructed a log farmhouse on the subject property where he lived with his wife Nancy Ann and their three daughters. The farmhouse was rebuilt with the current limestone one around 1860, at about the same time as the first log school on the Powley property was replaced with a stone structure. The Powley Farmhouse remained under the ownership of the Powleys into the 20th century, when Jacob sold the property to his eldest daughter Catherine and her husband Joseph Lawson.

*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 Powley Farmhouse supports the agricultural character of the area through its Ontario Gothic Revival style, which was a common design in Ontario farmhouse construction during the second half of the 19<sup>th</sup> century. In addition, the modest setback of the residence reflects similar residential sitings along Kepler Road between Sydenham Road and Babcock Road. The property also shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area.

### **Heritage Attributes**

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

- One-and-a-half storey limestone construction with medium-pitch side gable roof with a central medium-pitch front gable;
- Semi-circular arched window opening and a stone sill located in the central gable;

- Symmetrical front façade with a central entranceway flanked by window openings;
- Large entranceway, slightly recessed, with sidelights, a transom and radiating limestone voussoirs; and
- Two chimneys, one at each gable end.

**Non-Heritage Attributes**

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

- Various detached outbuildings and structures