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**RECEIVED**  
2024/07/22  
(YYYY/MM/DD)  
Ontario Heritage Trust

Office of the City Clerk

July 19, 2024

376021 Ontario Ltd.  
[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

**Re: Kingston City Council Meeting, July 9, 2024 – By-Law Number 2024-305; A By-Law to Designate the Property at 384 Division Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act***

At the regular meeting on July 9, 2024, Council gave three readings to By-Law Number 2024-305; A By-Law to Designate the Property at 384 Division Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-305, and the Notice of Passing.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Janet Jaynes".

Janet Jaynes  
City Clerk  
/nb

Encl. By-Law Number 2024-305  
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 Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, By-Law Numbers 2024-304, 2024-305, 2024-306, 2024-313, 2024-314, 2024-315, 2024-316, 2024-317, 2024-318, 2024-319, 2024-320, 2024-321, and 2024-322 were passed by the Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-18 on July 9, 2024 to designate the following lands to be of cultural heritage value and interest:

**605-607 Bagot Street** (Lots 1-2 Plan D9, City of Kingston, County of Frontenac);

**45 Charles Street** (Lot 3 Plan D9, City of Kingston, County of Frontenac), known as the Calvary Church;

**384 Division Street** (Part Lot 8 W/S Division Street Plan A13 Kingston City as in FR335913 Except Part 1 13R19840; City of Kingston, County of Frontenac), known as the Hoagie House;

**3578 Unity Road** (Part Lot 4 Con 6 Western Addition Kingston as in FR615351 Except Part 6 EXPROP Plan RP1562; City of Kingston, County of Frontenac), known as the Raycroft Farmhouse;

**1553 Sunnyside Road** (Part Lot 21 Con 4 Kingston Part 2, 4 & 6 13R5186; S/T TKZ18724; City of Kingston, County of Frontenac), known as the Fairbanks Farmhouse;

**265 King Street East** (Part Lot 87 Original Survey Kingston City as in FR365246; S/T FR365246; City of Kingston, County of Frontenac), known as the Connell Building;

**275 King Street East** (Part Lot 64 Original Survey Kingston City; Part Lot 87 Original Survey Kingston City; Part 2 13R822; T/W FR693675; City of Kingston, County of Frontenac), known as the Wire Works Building;

**2785 Lee Road** (Part Lot 7-8 Con 7 Kingston as in FR201027 & FR206995 Lying East of FR572023 except FR206996 & FR261437; Description may not be acceptable in future as in FR201027; S/T the Rights of Owners of Adjoining Parcels, if any, under FR261437 & FR727675; S/T TKY17537; City of Kingston, County of Frontenac);

**375 Maple Ridge Drive** (Part Lot 4, Plan 682, Parts 4, 5 & 6, 13R18691; S/T Easement in Favour of the Municipal Corporation of the Township of Kingston over Part 4, 13R18691 as in FR88315; City of Kingston, County of Frontenac), known as the Carolan Farmhouse;

**730 Hillview Road** (Part Lot 2 Con 2 Kingston as in FR642683; City of Kingston, County of Frontenac), known as the John Grass Jr. House;

**149 Brock Street** (Part Lot 1 N/S Brock St Plan Selma Subdivision Kingston City Part 2 13R2296; S/T interest in FR689524; City of Kingston, County of Frontenac), known as the McKay Fur House;

**161 Brock Street** (Part Lot 2 N/S Brock St Plan Selma Subdivision Kingston City as in FR486361; T/W FR718826, City of Kingston, County of Frontenac), known as the Norris House;

**319 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR639441 Except the Easement therein; City of Kingston, County of Frontenac);

**321 King Street West** (Part Farm Lot 22 Con 1 Kingston as in FR226735 Except the Easement therein; City of Kingston, County of Frontenac); and

**347 Wellington Street** (Part Cataraqui Ordnance Water Lot Kingston Part 1, 13R9796 S/T FR393688; City of Kingston, County of Frontenac), known as the Davis Dry Dock.

**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 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 16th day of July, 2024

City of Kingston

City Council voted in favour of this by-law on July 9, 2024

Written approval of this by-law was given on July 9, 2024 by Mayoral Decision Number 2024-18

Clause 1, Report Number 63

### **City of Kingston By-Law Number 2024-305**

#### **A By-Law to Designate the property at 384 Division Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** July 9, 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 municipally known as the Hoagie House at 384 Division Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On March 12, 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 May 14, 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*.

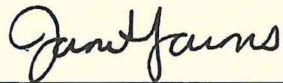
#### **Therefore, *Council* enacts:**

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: July 9, 2024**



\_\_\_\_\_  
Janet Jaynes  
City Clerk



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Bryan Paterson  
Mayor



**Schedule "A"**  
**Description and Criteria for Designation**  
**The Hoagie House**

Civic Address: 384 Division Street  
Legal Description: Part Lot 8 W/S Division Street Plan A13 Kingston City as in FR335913 Except Part 1 13R19840; City of Kingston, County of Frontenac  
Property Roll Number: 1011 050 010 11300

**Introduction and Description of Property**

The Hoagie House at 384 Division Street is located on the southwest corner of Division and Stanley (formerly Victoria) Streets in the City of Kingston. The 500 square metre property contains a detached two-storey limestone residential building, constructed before 1855. The first floor of the building was converted for commercial uses many years ago and has been the location of the well-known local establishment – The Hoagie House - since 1971.

**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 for carter William Lemmon in the early 1850s, the property has design value as an early surviving example of a two-storey vernacular limestone residential building with a Georgian influence in Kingston. Despite some alterations to the façade (i.e. replacement of the first-floor windows and door and the removal of the end gable chimneys), the Hoagie House retains the symmetry and balance characteristic of Georgian architecture, expressed through its low-pitch side gable roof, centrally placed first-floor entrance, and symmetrical alignment of window openings on the façade, including a possible blind window behind the wooden shutters on the second floor. Its full two-storey massing (as opposed to one-and-a-half) is unusual and notable for its early construction date (i.e. before 1855).

*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 because it is a landmark.*



The Hoagie House, originally opened by Angie Thompson on Brock Street in 1969, moved to his location in 1971 and is owned and operated by the Thompson family. The Hoagie House has been a treasured local landmark for three generations of Kingstonians.

Located on a corner site and as one of only a few limestone buildings along this stretch of Division Street, the Hoagie House 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 Hoagie House is visually linked to this section of Division Street, which is defined by 19<sup>th</sup> and early 20<sup>th</sup> century residential buildings with shallow setbacks from the public right-of-way. Of particular note are those buildings at 371, 375, 381, 390, 398 and 400 Division, which, with the Hoagie House, contribute to this historic character.

### **Heritage Attributes**

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

- Two-storey massing with low-pitch side gable roof;
- Limestone construction with even coursing on the façade and random coursing on gable ends;
- Original window openings with wooden sills on the façade, including the currently blinded window on the second floor (now concealed by wooden shutters), and those on the side elevations;
- Voussoirs on the ground floor of the façade, indicating the symmetrical placement of the original first floor openings; and
- Original entrance opening on the façade.