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Office of the City Clerk

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Ontario Heritage Trust

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September 23, 2024

Via email: [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

**Re: Kingston City Council Meeting, September 3, 2024 – By-Law Number 2024-355; A By-Law to Designate the Property at 22 Yonge Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act***

At the regular meeting on September 3, 2024, Council gave three readings to By-Law Number 2024-355; A By-Law to Designate the Property at 22 Yonge Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-355, and the Notice of Passing.

Yours sincerely,

Janet Jaynes  
City Clerk  
/nb

Encl. By-Law Number 2024-355  
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 2024-352, 2024-353, 2024-354, 2024-355, 2024-356, 2024-357, and 2024-358 were passed by the Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-20 on September 3, 2024 to designate the following lands to be of cultural heritage value and interest:

**151 Montreal Street** (Part Lot 286, Original Survey, Kingston City as in FR524489; T/W FR524489; City of Kingston, County of Frontenac), known as the Strainge Terrace;

**153 Montreal Street** (Part Lot 286, Original Survey, Kingston City as in FR505753; T/W FR505753; City of Kingston, County of Frontenac), known as the Strainge Terrace; and

**155 Montreal Street** (Part Lot 286, Original Survey, Kingston City, Part 1 13R12773; T/W FR665707; City of Kingston, County of Frontenac), known as the Strainge Terrace;

**15 Rideau Street** (Part Lot E, Original Survey, Kingston City as in FR504369, S/T & T/W FR728395; City of Kingston, County of Frontenac); and

**17 Rideau Street** (Part Lot E, Original Survey, Kingston City as in FR504005; T/W FR694591; City of Kingston, County of Frontenac);

**217-221 Princess Street** (Part Lot 309, Original Survey, Kingston City as in FR544525; S/T FR544525; City of Kingston, County of Frontenac);

**22 Yonge Street** (Part Lot 13, W/S Yonge St, Plan 54, Kingston City as in FR672387, T/W Interest in FR672387; City of Kingston, County of Frontenac), known as the Fisher Brewery Kiln and Office;

**3250 Quabbin Road** (Part Lots 6-7, Concession 7, Western Addition, Kingston, Part 2, 13R15217; City of Kingston, County of Frontenac), known as the Guess Farmstead;

**3857-3889 Seabrooke Road** (Lots 37-38, Concession 9, Pittsburgh; Part Lot 36 Concession 9, Pittsburgh as in FR435433, Except FR191319 (Secondly) & Part 4, 13R9336; City of Kingston, County of Frontenac); and

**790 Front Road** (Part Lot 7, Concession 1, Parts 4-7, 13R14719; T/W Part 3, 13R14719; S/T ROW in favour of the owners of Parts 1 & 3, 13R14719 over Parts 4 & 5, 13R14719 as in Lot 11792; Township of Kingston, now City of Kingston, County of Frontenac), known as the Murton-Henderson 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, or by visiting the Development and Services Hub at [www.cityofkingston.ca/dash](http://www.cityofkingston.ca/dash) and searching by address.

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 12<sup>th</sup> day of September, 2024

City of Kingston

City Council voted in favour of this by-law on September 3, 2024

Written approval of this by-law was given on September 3, 2024 by Mayoral Decision Number 2024-20

Clause 2, Report Number 67, July 9

### **City of Kingston By-Law Number 2024-355**

#### **A By-Law to Designate the property at 22 Yonge Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** September 3, 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 June 19, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 22 Yonge Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On July 9, 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 July 16, 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: September 3, 2024**



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**Janet Jaynes**  
City Clerk



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**Bryan Paterson**  
Mayor



**Schedule "A"**  
**Description and Criteria for Designation**  
**Fisher Brewery Kiln and Office**

Civic Address: 22 Yonge Street  
Legal Description: Part Lot 13 W/S Yonge St Plan 54 Kingston City as in FR672387 T/W Interest in FR672387; City of Kingston, County of Frontenac  
Property Roll Number: 1011 070 090 00200

**Introduction and Description of Property**

The Fisher Brewery Kiln and Office at 22 Yonge Street, is situated on a 590 square metre residential lot on the west side of the street, south of Logan Street, in the former Village of Portsmouth, now part of the City of Kingston. The property consists of a two-and-a-half-storey stone former kiln, constructed c.1880, and a one-storey former office, constructed in 1924.

**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 Fisher Brewery Kiln and Office are two of the last remaining structures of a once sprawling brewery. The Kiln and Office have physical value as rare examples of surviving 19<sup>th</sup> and early 20<sup>th</sup> century purpose-built brewery/industrial buildings, now residential.

Constructed circa 1880, the Kiln is a rectangular two-and-a-half-storey limestone structure with a truncated hipped roof. The once large brewery buildings that connected to the south elevation of the Kiln were demolished by 1947. The Kiln has undergone numerous changes to become useable in a modern context including the addition of a roof lantern as well as additional window and door openings and a balcony. Despite the evolution of the site, the Portsmouth/Fisher Brewery complex remains an important part of the industrial heritage of what was once a thriving business in Portsmouth Village and along the lakeshore.

The Fisher Brewery Office was constructed in 1924, making it one the earliest 20<sup>th</sup> century buildings in the Village of Portsmouth. It is a wood frame bungalow on concrete foundation, with a hipped roof and small shed roof dormer (recently removed). Typical of the buildings of this time, the window openings are grouped in twos and threes. Only minor alterations have occurred to this building, including the addition of a large gable dormer on the south elevation.

*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 Fisher Brewery Office and Kiln represent one of the key industries in the Village of Portsmouth and is associated with the Fisher family. The brewery was established by William Patterson in 1842, but he sold it when he left Canada 10 years later. It was purchased by James Fisher in 1855 and became known variably as both the Portsmouth Brewery and the Fisher Brewery. These names were used interchangeably until the 1880s; thereafter it was known as the Fisher Brewery. Before purchasing the brewery, James operated a steam sawmill and lumber business in the 1840s with John and Robert Fisher (relation unknown). A 1909 Whig article noted that the business employed eight to ten labourers and produced porter, ale and beer. The Kiln was likely used for drying malted barley used in the production of beer.

The brewery was operated by the Fisher family until 1917. James brought his son Joseph into the family business around 1865 and by the early 20<sup>th</sup> century the brewery is referred to the Fisher Bros. and operated by William and John Fisher. John Fisher was a prominent member of the community, serving as Reeve for the Village of Portsmouth for 18 years. After the brewery left the Fisher family's hands, it was briefly called the Lake Ontario Brewery, before it closed in 1930.

The Fisher Brewery Office was designed by Scottish-trained architect Colin Drever (1887-1975). Drever immigrated to Canada in 1911 and became a partner in the Power & Son firm until creating his own architectural firm in 1923. The design of the Fisher Brewery Office is considered one his earliest solo commissions (68 Kensington Avenue being his first). Some of Drever's notable architectural works in Kingston include the Power Plant at 100 King Street West, the LaSalle Hotel on Bagot Street, and McLaughlin Hall and McArthur College at Queen's University.

*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 property has contextual value because it is physically and historically linked to its surroundings. The Portsmouth/Fisher Brewery once sprawled over three acres and had an icehouse, bottling room, wash house, large brewery building, offices, a kiln, coal shed, barrel shed, stable and a wharf. The Kiln and Office, along with the adjacent stable at 1 Mowat Avenue, are the last remaining buildings of this once thriving brewery. The Kiln's massing, height, truncated hipped roof and early stone construction make it a visual landmark along Yonge Street, and in the Portsmouth area.

### **Heritage Attributes**

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

Former Kiln:

- Its rectangular three-storey limestone construction;
- Its truncated hipped roof; and
- Its original openings, including the door opening on the south elevation and the second storey window openings on the west elevation with stone sills; and

Former Office:

- Its wood frame one-storey construction with offset front door;
- Its hipped roof; and
- Its original window openings that are grouped in twos and threes; and

Overall Property:

- Location next to the shore of the St. Lawrence River; and
- Proximity to the former brewery/stable building at 1 Mowat Avenue.