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RECEIVED
2024/09/23
(YYYY/MM/DD)
Ontario Heritage Trust

Office of the City Clerk

September 23, 2024

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Dear [REDACTED]

Re: Kingston City Council Meeting, September 3, 2024 – By-Law Number 2024-358; A By-Law to Designate the Property at 790 Front Road 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 2024-358; A By-Law to Designate the Property at 790 Front Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-358, and the Notice of Passing.

Yours sincerely,

Janet Jaynes
City Clerk
/nb

Encl. By-Law Number 2024-358
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 during regular business hours, or by visiting the Development and Services Hub at 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 12th 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 2024-358

A By-Law to Designate the property at 790 Front Road 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 at 790 Front Road (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:

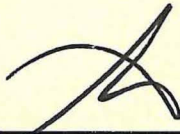
1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this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



Janet Jaynes
City Clerk



Bryan Paterson
Mayor



Schedule "A"
Description and Criteria for Designation
Murton-Henderson House

Civic Address: 790 Front Road

Legal Description: Part Lot 7, Con 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; Kingston Township now City of Kingston, County of Frontenac

Property Roll Number: 1011 080 060 02000

Introduction and Description of Property

The Murton-Henderson House at 790 Front Road is situated on the north side of the road, in the former Township of Kingston, now the City of Kingston. The approximately 3,500 square metre residential parcel contains a two-storey residence with Italianate elements, constructed circa 1875, with a large rear/side addition, added in 2011.

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 Italianate style of dwelling is relatively rare in Kingston Township. Together with the 1860s John Grass House at 1193 Front Road and the Wartman House at 890 Front Road, the Murton-Henderson House is one of only a few examples of a house with Italianate influences in this part of Kingston.

The original two-storey 'L'-shaped plan structure is constructed from red brick laid in stretcher bond pattern with a limestone foundation. Typical of the Italianate style, the house has a balanced front façade, featuring a complex hip roof with two substantial red brick chimneys with banding, and a two-storey bay window located on the western aspect of the front façade. Adjacent to the main entranceway is an oval window opening that includes decorative glazing and is surrounded by two bands of bricks. Also typical of the style are the large windows on the front façade that feature segmental flat heads with limestone sills and brick voussoirs.

The single storey bay window, second storey balcony and the eastern addition to the house were added in 2011. The entranceway has a portico with a round arched roof, decorative square columns and engaged columns (likely a later addition).

Concrete gate posts on the property indicate the original driveway entrance.

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 Murton-Henderson House is associated with the Murton and Henderson families. The construction of the house is likely associated with the purchase of the property by John and Sarah Murton in 1875. The Murtons were successful farmers, indicated by the additions built onto the original structure by 1891. Together with their children, Margaret and George, the Murton family lived in the house and farmed the lands for many years. George Murton and his wife Emma resided in a neighbouring stone house (possibly 160 Belmont Avenue) with their children George Jr. and Frederick, until 1901 when John Murton transferred his property and the red brick house to his son George for the consideration of 'love and affection'.

In 1940, the property was purchased by the Henderson family. James R. Henderson (1896-1968) was a well-known dairy cattle breeder and farmer. He served as President of the Holstein-Friesian Association of Canada in 1942, as well as a Director of the Association for 15 years. He received numerous awards for his contribution to the advancement of the dairy industry in Canada and Kingston area. Henderson's farm was known as Strathaven Farm. James served as chair of the Township School Board and sold six acres of his land for a new school in School Section No. 2, to replace the Crystal Springs School on Days Road. The new school, known as Ecole James R. Henderson Public School, was named in his honour. The neighbourhood, stretching from Front Road to Bath Road west of Days Road, is known as Henderson Place, reflecting the family's prominence in the area.

The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.

The Murton-Henderson House is historically linked to its surroundings. This substantial house with Italianate influences, is located along a main thoroughfare in what was once an active agricultural area. The Strathaven Farm and Henderson family were well-known in this area. Together with the historic red-brick dwelling at 890 Front Road and the limestone dwelling at 160 Belmont Avenue, the Murton-Henderson House is a defining property and key to maintaining the sense of historic rural community, which is all but lost.

Heritage Attributes

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

- Original two storey house in an 'L'-shaped plan, constructed of brick, with limestone foundation;
- Complex hipped roof with deep cornice and frieze, and two brick chimneys with banding;
- Balanced front façade including two storey bay window;

- Oval window opening with decorative glazing surrounded by two bands of brick voussoirs;
- Segmental flat-headed window openings with stone sills and brick voussoirs; and
- Concrete gate posts at the former driveway entrance.