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NOTICE OF PASSING

September 16, 2024

Provincial Heritage Registrar
Ontario Heritage Trust
437-246-8606

RECEIVED
2024/09/13
(YYYY/MM/DD)
Ontario Heritage Trust

Good afternoon,

In accordance with Section 29 (8) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, please take notice that the Council of The Corporation of the City of Owen Sound passed **By-law No. 2024-101** (for 791 2nd Avenue West) and **By-law No. 2024-103** (for 795 2nd Avenue West) on September 9th, 2024, under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 to designate properties, including lands and buildings, located at **791 2nd Avenue West** (PT LOT 13 PT LAND BTWN RANGE 1 W RIVER AND SYDENHAM RIVER E WEST ST S FROST ST RP 16R9569 PARTS 2 13 16 TO 20 UNREG), also known as Kennedy Terrace, and at **795 2nd Avenue West** (PLAN OWEN SOUND PT LOT 13 PT LAND BTWN RANGE 1 W RIVER AND SYDENHAM RIVER E WEST ST S FROST ST RP 16R9569 PARTS 1 7 12 AND 15), also known as Kennedy Terrace, to be of cultural heritage value and interest.

Notice of appeal to either of the designation by-laws under Section 29(8.4) of the *Ontario Heritage Act*, together with a statement of the reasons in support of the objection, accompanied by the fee charged by the Ontario Land Tribunal, must be filed with the Clerk of the City of Owen Sound and the Ontario Land Tribunal within 30 days after the publishing of this notice.

Notice Date: **September 14, 2024.**

Last Day for filing a notice of appeal: **October 15, 2024.**

Enclosed:

- By-law No.2024-101 (for 791 2nd Avenue West)
- By-law No. 2024-103 (for 795 2nd Avenue West)

Sincerely,

Jocelyn Wainwright, Heritage Coordinator

A By-law to designate the property located at 791 2nd Avenue West as being of Cultural Heritage Value or Interest Under Part IV of the *Ontario Heritage Act* (Kennedy Terrace)

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c O.18 (the "Act") authorizes the Council of a municipality to pass a by-law to designate a real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS on January 10, 2024, the owner of Kennedy Terrace located at 795 2nd Avenue West in the City of Owen Sound (the "Property") applied to have the Property designated under Part IV of the *Ontario Heritage Act*; and

WHEREAS on July 8, 2024, the Council of The Corporation of the City of Owen Sound (the "City") passed Resolution No. R-240708-010 authorizing Notice of Intention to Designate the Property to proceed; and

WHEREAS on July 10, 2024, the City served Notice of Intention to Designate 795 2nd Avenue West (Kennedy Terrace) as a property of cultural heritage value or interest (the "Notice") on the owner of the Property and to Ontario Heritage Trust; and

WHEREAS on July 13, 2024, the City caused the Notice to be published in a newspaper having general circulation in the municipality; and

WHEREAS on August 13, 2024, no notice of objection to the proposed designation had been served on the Clerk of the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1. The Property municipally known as 791 2nd Avenue West, located at the southeast corner of the intersection of 2nd Avenue West and 8th Street West, and legally described as:

PT LOT 13 PT LAND BTWN RANGE 1 W RIVER AND SYDENHAM RIVER E WEST ST S FROST ST RP 16R9569 PARTS 2 13 16 TO 20 UNREG;

BEING PIN: 37074-0681 (LT)


is designated as being a property of cultural heritage value or interest.
2. The Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes for the Property are set out in Schedule 'A', which is attached and forms part of this by-law.
3. The City Clerk is authorized to cause:
 - a. A copy of this by-law to be registered against the Property;
 - b. A copy of this by-law to be served upon the owner of the Property and on the Ontario Heritage Trust; and
 - c. Notice of the passing of this by-law to be published in the Owen Sound Sun Times newspaper and served on the property owner and the Ontario Heritage Trust.

4. This by-law shall come into full force and effect on the date it is passed, at which time all by-laws, policies and resolutions that are inconsistent with the provisions of this by-law are hereby amended or repealed insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED AND ENACTED this 9th day of September 2024.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

Schedule 'A' to By-law No. 2024-101**STATEMENT OF SIGNIFICANCE AND REASONS FOR DESIGNATION
791 2ND AVENUE WEST (KENNEDY TERRACE)****Reasons for Designation**

The property 791 2nd Avenue West is worthy of designation under Part IV, Section 29 of the *Ontario Heritage Act* for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation, under the categories of design/physical, historical/associative, and contextual value.

Description

Kennedy Terrace is a two-storey residential building containing five (5) freehold street-fronting townhouse units located on the east side of 2nd Avenue West, on the southeast corner of the intersection of 2nd Avenue West and 8th Street West, in the City of Owen Sound. The property subject to the designation known as 791 2nd Avenue West, is the 3rd unit from the north end of the terrace.

Statement of Cultural Heritage Value or InterestDesign/Physical Value

Kennedy Terrace's design and physical value are representative of terraced housing built during the late 19th and early 20th centuries in Owen Sound. Terraced housing of the 1900s in Owen Sound generally consisted of three (3) to six (6) street-fronting townhouse units oriented close to the front of the property with large rear yards. The terraces were generally two-storey red brick buildings and were modest in design and form. Kennedy Terrace is a well-preserved representation of Victorian-era terraces in Owen Sound, as evidenced by its composition, design, and materials.

Historical/Associative Value

Kennedy Terrace's historical and associative value lies in its association with James Candlish Kennedy, who built the Terrace circa 1900. Mr. Kennedy was a prominent member of the community, serving as the Town Engineer, a member of the board of managers for Division Street United Church, the Board of Education, the Secretary-Treasurer of the Foresters' Lodge, and as a local contractor.

Contextual Value

Kennedy Terrace's contextual value lies in its being an example of the brick terraces built in proximity to the City's downtown core and industrial centre along the Sydenham River and harbour in the late 1800s and into the first half of the 1900s.

Description of Heritage Attributes

Key exterior attributes that embody the design and physical heritage value of Kennedy Terrace as a representative example of terraced housing built during the late 19th and early 20th centuries in Owen Sound:

Front (west) Façade:

- A continuous row of exposed wooden corbels supports the cornice that protrudes over the top of the north and west facades, the corbels and cornice are painted white;

- Red brick in a stretcher bond pattern;
- Asymmetrical fenestration: arched sash windows with white frames and white muntins, three (3) windows on the first storey and two (2) on the second storey;
- Dolostone window sills;
- Red brick lintels in a soldier course pattern;
- Red brick corbelled arches are featured around the windows on the first and second storeys, and the door on the first storey. The corbelling extends approximately one-quarter to one-third down the side of the windows and doors and is continuous across the north, south, and west facades of the building;
- Single front door with arched fanlight;

Rear (east) Façade:

- The second storey is clad in red brick with a stretcher bond pattern;
- Two (2) arched sash windows with white frames and with white muntins;
- Dolostone window sills; and
- Red brick lintels in a soldier course pattern.

Roof:

- Flat Roof