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Office of the City Clerk

November 27, 2024

Via email: [REDACTED]

**RECEIVED**  
2024/11/28  
(YYYY/MM/DD)  
Ontario Heritage Trust

[REDACTED]  
[REDACTED]  
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Dear [REDACTED]

**Re: Kingston City Council Meeting, November 19, 2024 – By-Law Number 2024-400; A By-Law to Designate the Property at 722-766 John Counter Boulevard to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act***

At the regular meeting on November 19, 2024, Council gave three readings to By-Law Number 2024-400; A By-Law to Designate the Property at 722-766 John Counter Boulevard to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*.

Attached please find By-Law Number 2024-400, and the Notice of Passing.

Yours sincerely,

Janet Jaynes  
City Clerk  
/nb

Encl. By-Law Number 2024-400  
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 2024-397, 2024-398, 2024-399, 2024-400, 2024-401, 2024-402, and 2024-403 were passed by the Council of The Corporation of the City of Kingston and approved by Mayoral Decision Number 2024-27 on November 19, 2024 to designate the following lands to be of cultural heritage value and interest:

**294 Elliott Avenue** (Part Farm Lot 5, Con West Great Cataraqui River, Kingston, Part 1, 13R18838; City of Kingston, County of Frontenac), known as the Elliott Farmhouse;

**3751 Smith Road** (Part Lot 6, Con 4, Western Addition, Kingston, as in FR329337, Lying E of Part 2, 13R344 & S of Part 3, 13R4158; City of Kingston, County of Frontenac), known as the Bell Farmstead;

**3867 Smith Road** (Part Lots 7-8, Con 4, Western Addition, Kingston, Part 1 on 13R21029; City of Kingston, County of Frontenac), known as the Smtih Farmstead;

**722-766 John Counter Boulevard** (Part Farm Lot 5, Con West Great Cataraqui River, Kingston, as in FR442219, Except Parts 5 & 7 13R8629 & Part 1, 13R17330; City of Kingston, County of Frontenac), known as the John Elliott Farmhouse;

**1901 Jackson Mills Road** (Part Lot 13, Con 4, Kingston, Part 2, 13R18877; S/T & T/W FR762129, Except the Easement Therein Thirdly Described; City of Kingston, County of Frontenac), known as the Jackson Mill;

**617-619 Union Street** (Part Lot 4, N/S Union St, Plan 54, Kingston City, Parts 1, 3, 13R10659; City of Kingston, County of Frontenac); and

**79-83 Princess Street** (Part Lot 111, Original Survey, Kingston City, Part 1, 13R13985; City of Kingston, County of Frontenac), known as the Robert White Building.

**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

This 26<sup>th</sup> day of November, 2024

Janet Jaynes, City Clerk

City of Kingston

City Council voted in favour of this by-law on November 19, 2024

Written approval of this by-law was given on November 19, 2024 by Mayoral Decision Number 2024-27

Clause 2, Report Number 87, October 1

### **City of Kingston By-Law Number 2024-400**

#### **A By-Law to Designate the property at 722-766 John Counter Boulevard to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** November 19, 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 September 18, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 722-766 John Counter Boulevard (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On October 1, 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 October 8, 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*.

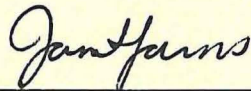
#### **Therefore, *Council* enacts:**

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.



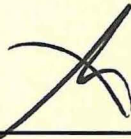
3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

**Given all Three Readings and Passed:** November 19, 2024



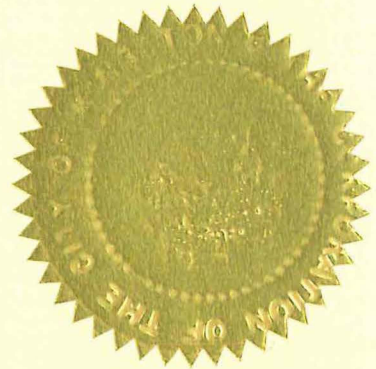
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Janet Jaynes  
City Clerk



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Bryan Paterson  
Mayor



**Schedule "A"**  
**Description and Criteria for Designation**  
**John Elliott Farmhouse**

Civic Address: 722-766 John Counter Boulevard  
Legal Description: Part Farm Lot 5 Con West Great Cataraqui River Kingston  
as in FR442219, Except Parts 5 & 7 13R8629 & Part 1  
13R17330; City of Kingston, County of Frontenac  
Property Roll Number: 1011 040 110 18600

**Introduction and Description of Property**

The John Elliott Farmhouse, located at 730 John Counter Boulevard, is situated on the south side of the road, just west of Montreal Street, in the City of Kingston. This 2.3-hectare residential property, sited at the southeast corner of John Counter Boulevard and Maple Street, contains a one-and-a-half storey limestone Ontario Gothic Revival Cottage style farmhouse built circa 1856 for cattle dealer John Elliott. The subject property also includes two apartment buildings, built in the 1980s, with no heritage value, at civic addresses 722 and 766 John Counter Boulevard.

**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 John Elliott Farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, medium-pitched gable roof with twin stone chimneys at the roof peak, one on each end of the house, and a front elevation (facing east) that includes a central gable, featuring a tall arched window opening. There appears to be physical evidence that a verandah once protected the masonry on the front elevation; however, despite this possible loss, the J. Elliott Farmhouse retains its original form and profile with few other modifications.

The building is well-crafted, with a demonstrable technical skill visible in the attention to the finished masonry. Particularly notable is the limestone construction and fine masonry work on the (east) façade and (north) elevation, consisting of hammer-dressed limestone of similar size, laid in even courses. The west and south elevations are uncoursed.

The centrally located front entranceway is flanked by 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 prominent north elevation includes two bays each featuring large window openings.



A one storey limestone wing extends from the west elevation of the main house and features a medium-pitch gabled roof with a tall stone chimney at the gable end. Two large window and two door openings face the road (north), while a single opening and projecting chimney breast accentuate its west elevation.

Despite displaying architectural elements common to the style, the Elliott Farmhouse also demonstrates several unusual elements. For example, its oversized main entrance is slightly recessed with full length side lights and arched five-part transom. The flanking main floor window openings are also oversized and once housed tripartite windows. And, while the window openings on the façade have flat heads embellished with tall voussoirs, the central entrance and second storey window above have contrasting arched openings with radiating voussoirs.

The property also includes two large apartment buildings and a single storey detached building, which are 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 John Elliott Farmhouse is associated with the prominent Elliott family and its patriarch John Elliott. The Elliott family were Irish immigrants, who owned much of the farmland in this area by the late 19<sup>th</sup> Century and who are responsible for its early farming roots as prominent livestock dealers. John Elliott (1823–1913) was a prominent citizen and business owner in the Kingston area and is noted as “the best known in the dominion” for his international cattle sales. For a time, he and his brother William held a stall at the local market where they sold their meat. John was an active member of the local Orange Lodge No. 352 and represented Frontenac Ward as both an Alderman and Councillor. John and his wife “Miss Toland of Sunbury” had five sons and two daughters. John’s son David Hugh Elliott took over his export business in 1898, expanding it into the United States.

At one time the Elliott farmland in this area was more than 50 acres and included barns, drive sheds, stables, an icehouse, an orchard and multiple dwellings. Currently there are three stone dwellings in this area that were once owned by the Elliott family, including Drover’s Cottage at 858 Division Street, 294 Elliott Avenue and the subject dwelling at 730 John Counter Boulevard (formerly 134 Elliott Avenue). John Elliott built this dwelling around 1856 for the growing Elliott family farm and cattle business.

Given their ownership and prominence in the area, Elliott Avenue was so named in the family’s honour.

*The property has contextual value because it is a landmark*

Its distinctive and fine limestone construction and prominent location and somewhat isolated nature, makes it a landmark in the area.