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Office of the City Clerk

ONTARIO MUNICIPALITY

MAR 07 2011

RECEIVED

March 2, 2011

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

**RE: KINGSTON MUNICIPAL HERITAGE COMMITTEE- NOTICE OF PASSING –
UPDATE ONTARIO HERITAGE ACT DESIGNATION BY-LAW 176 MOWAT AVE.**

I would confirm that at the regular meeting of Kingston City Council held on February 15, 2011, the following resolution, being Clause 1., Report No. 21 was approved:

1. **WHEREAS** the Kingston Municipal Heritage Committee recommended to Council to serve Notice of Intention to Amend the Designation By-Law for 176 Mowat Avenue under the Ontario Heritage Act on September 13, 2010; and,

WHEREAS the Council of the Corporation of the City of Kingston approved serving Notice of Intention to Amend the Designation By-Law for 176 Mowat Avenue on September 21, 2010, and said Notice was published in the Kingston Whig Standard on September 28, 2010, and served on the property owner and the Ontario Heritage Trust on September 29, 2010; and,

WHEREAS a Notice of Objection was received but was subsequently withdrawn on January 4, 2011; and,

WHEREAS a revised draft by-law has been developed to bring the 'Reasons for Designation' into compliance with the Ontario Heritage Act, to correct some errors with the existing description, to reflect a new legal description for the property, and to add some interior Character Defining Elements;

THEREFORE BE IT RESOLVED THAT the updated Designation By-Law under the Ontario Heritage Act for the property located at 176 Mowat Avenue (All of Lot 5, and Parts of Lot 4, 6 and 7, Plan 168, in the City of Kingston, County of Frontenac, being Part 1 on Plan 13R-19569), attached to Report No. KMHC-11-004 as Exhibit 'A', be adopted by Council;

- and further -

THAT the entry in the City of Kingston Heritage Properties Register for the property located at 176 Mowat Avenue be amended to reflect the updated designation of the property;

- and further -

...continued on Page 2

The Corporation of the City of Kingston

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THAT as required under the Ontario Heritage Act, the Clerk of the municipality shall ensure a copy of the by-law, together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property shall be served in accordance with the requirements of Section 67 of the Ontario Heritage Act on the owner of the property and on the Ontario Heritage Trust, and be registered against the property affected in the proper Land Registry Office;

- and further -

THAT as required under the Ontario Heritage Act, the Clerk of the municipality shall ensure that Notice of the Passing of the Designation By-Law be published in a newspaper having general circulation in the municipality and that this Notice shall include: an adequate description of the property so that it may be readily ascertained; a statement explaining the cultural heritage value or interest of the property; and a statement that further information respecting the Designation By-Law is available from the municipality.

(Note: The Report of the Commissioner of Sustainability and Growth (KMHC-11-004) was distributed with the February 7, 2011, KMHC agenda and can currently be viewed on the City website at: <http://www.cityofkingston.ca/cityhall/committees/lacac/agendas.asp>.

CARRIED

By-Law 2011-23 received First and Second Readings on February 15, 2011 and Third Reading on March 1, 2011.

Pursuant to the Ontario Heritage Act, the enclosed Notice of Passing will be published in the Kingston Whig Standard on Tuesday, March 8, 2011. I am also enclosing a copy of By-Law 2011-23, which includes the description of the property, a statement explaining the cultural heritage value or interest of the property, for your information. Following registration of this by-law on the title to the property, a copy will be provided to you as well.

If you have any questions please do not hesitate to contact Marcus Letourneau, Heritage Planner.

Yours truly,

John Bolognone
City Clerk

/ki

Enclosures

Cc: C. Beach, Commissioner, Sustainability & Growth
Ontario Heritage Trust

File No.

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**NOTICE OF AMENDED DESIGNATION FOR 176 MOWAT AVENUE
AS HAVING CULTURAL HERITAGE VALUE AND INTEREST
PURSUANT TO THE PROVISIONS OF
THE ONTARIO HERITAGE ACT (R.S.O. 1990, Chapter O.18)**

TAKE NOTICE that the Council of The Corporation of the City of Kingston passed By-law 2011-23 under Section 30.1 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, to amend the designation by-law for the lands at 176 Mowat Avenue Avenue (All of Lot 5, and Parts of Lots 4, 6 and 7, Plan 168, in the City of Kingston, County of Frontenac, being Part 1 on Plan 13R-19569) as having cultural heritage value and interest.

The former rectory located at 176 Mowat Avenue (All of Lot 5, and Parts of Lots 4, 6 and 7, Plan 168, in the City of Kingston, County of Frontenac, being Part 1 on Plan 13R-19569) is of cultural heritage value and interest because of its physical design values, its historical associations, and its contextual values. It is of physical design value because of its unique expression of the picturesque tradition, its integration of local construction materials, and the survival of interior elements. Its character defining exterior elements include its limestone construction which is expressed on the façade and side elevations as laid up in mostly regularly coursed limestone while the rear is random rubble, the simplicity of its symmetrical two storey, three bay limestone façade and its casement windows, the building's L-shaped design, the relatively unadorned main entrance with its sidelights, transom and fielded four panel door and the French doors to the front verandah, the building's fenestration and openings along with its steeply pitched center gable, the round, slender verandah columns, exposed rafter 'lookouts' and its paired quatrefoil blocks at the open verandah frieze. Notable interior elements include the centre hall plan on the first floor, the pilastered elliptical arch at the main hall, the main stair case including its newel and newel cap, the pendant extending down from the newel at the second storey, the surviving fireplaces including the large brick cooking fireplace with cambered arch which retains a brick hearth with bracketed mantel and remnants of an iron crane, the wooden surrounds on the first floor; the intricate, decorative cast iron radiator covers, the surviving interior doors, many of which retain original hardware, the surviving wood windows and hardware, and the original wall and floor finishes where present. The layout of the circle drive at the front is an important element of the property. 176 Mowat Avenue is of historical/associative value because of its direct associations with a theme, an event, several persons and organizations significant to the history of Kingston. This includes its association with St. John's Anglican Church, its association with the development of Portsmouth Village, and the expansion of the Anglican Church in the Kingston area. It has direct associations with Richard Scobell, the Reverend Francis Dobbs, the Cartwright family, Reverend William Macaulay Herchmer and William Coverdale. The property at 176 Mowat Avenue is of contextual value because of its role in supporting the character of Portsmouth Village and as a landmark for the area.

Additional information, including a full description of the reasons for designation is available upon request from the City's Heritage Planner, Marcus Letourneau at 613-546-4291, Ext 1386, during regular business hours.

DATED at the City of Kingston
this 8th day of March, 2011

John Bolognone, City Clerk
City of Kingston

BY-LAW NO. 2011-23

A BY-LAW TO AMEND BY-LAW No. 9360A TO REFLECT THE CULTURAL HERITAGE VALUE AND INTEREST OF 176 MOWAT AVENUE (See Clause 1, Report No. 21)

PASSED: March 1, 2011

WHEREAS Section 30.1 of the *Ontario Heritage Act* provides for the updating of existing Designation By-laws; and

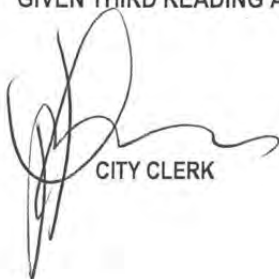
WHEREAS the 'Reasons for Designation' for 176 Mowat Avenue were changed by a severance and the current By-law does not meet current provincial requirements;

THEREFORE, the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. That all references to 'Rectory, 176 Mowat Avenue,' located in Schedule 'A' be deleted and replaced with the document hereto attached entitled "176 Mowat Avenue"
2. For the purpose of interpretation, 'Maintenance' on 176 Mowat Avenue will include the following works:
Maintenance is considered routine, cyclical, and non-destructive actions, necessary to slow the deterioration of a historic place. It entails the following actions: periodical inspection; general property cleanup; general gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs (including replacement of individual asphalt shingles where there is little or no change in colour or design); repainting in the same or similar colour; repairs to walls and floors that do not remove original material; and repointing areas of wall space under 1.5 square metres;
3. For the purpose of interpretation, interior works will be considered as delegated to Heritage Staff for approval with the understanding that approval of said works must follow the process as outlined in By-Law 2005-227, (A By-Law to Delegate to an Appointed Officer Specific Approvals under the *Ontario Heritage Act*).
4. A copy of this By-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the land described in the document entitled 'Rectory, 176 Mowat Avenue' attached hereto and on The Ontario Heritage Trust.
5. The City reserves the right to install a designated property plaque or interpretive panel.
6. This By-Law shall come into force and take effect on the date of its passing.

GIVEN FIRST AND SECOND READINGS February 15, 2011

GIVEN THIRD READING AND FINALLY PASSED March 1, 2011



CITY CLERK



MAYOR



176 Mowat Avenue
Description and Reasons for Designation

Legal Description

Civic Address: 176 Mowat Avenue
Lot/Concession: All of Lot 5, and Parts of Lot 4, 6 and 7, Plan 168, in the City of Kingston, County of Frontenac, being Part 1 on Plan 13R-19569
PIN: 36013-0336 (LT).

Description of Property

The former rectory located at 176 Mowat Avenue (All of Lot 5, and Parts of Lots 4, 6 and 7, Plan 168, in the City of Kingston, County of Frontenac, being Part 1 on Plan 13R-19569) is of cultural heritage value and interest because of its physical design values, its historical associations, and its contextual values. It is of physical design value because of its unique expression of the picturesque tradition, its integration of local construction materials, and the survival of interior elements. Its character defining exterior elements include its limestone construction which is expressed on the façade and side elevations as laid up in mostly regularly coursed limestone while the rear is random rubble, the simplicity of its symmetrical two storey, three bay limestone façade and its casement windows, the building's L-shaped design, the relatively unadorned main entrance with its sidelights, transom and fielded four panel door and the French doors to the front verandah, the building's fenestration and openings along with its steeply pitched center gable, the round, slender verandah columns, exposed rafter 'lookouts' and its paired quatrefoil blocks at the open verandah frieze. Notable interior elements include the centre hall plan on the first floor, the pilastered elliptical arch at the main hall, the main stair case including its newel and newel cap, the pendant extending down from the newel at the second storey, the surviving fireplaces including the large brick cooking fireplace with cambered arch which retains a brick hearth with bracketed mantel and remnants of an iron crane, the wooden surrounds on the first floor, the intricate, decorative cast iron radiator covers, the surviving interior doors, many of which retain original hardware, the surviving wood windows and hardware, and the original wall and floor finishes where present. The layout of the circle drive at the front is an important element of the property. 176 Mowat Avenue is of historical/associative value because of its direct associations with a theme, an event, several persons and organizations significant to the history of Kingston. This includes its association with St. John's Anglican Church, its association with the development of Portsmouth Village, and the expansion of the Anglican Church in the Kingston area. It has direct associations with Richard Scobell, the Reverend Francis Dobbs, the Cartwright family, Reverend William Macaulay Herchmer and William Coverdale. The property at 176 Mowat Avenue is of contextual value because of its role in supporting the character of Portsmouth Village and as a landmark for the area.

Statement of Cultural Heritage Value/Statement of Significance

The former rectory located at 176 Mowat Avenue is of cultural heritage value and interest because of its physical design values, its historical associations, and its contextual values.

Physical/Design Values

The property at 176 Mowat Avenue is of design/physical value because of its unique expression of the picturesque tradition, its integration of local construction materials, and the survival of interior elements. It is a somewhat eclectic composition in the tradition of the picturesque (often in the past called 'Regency') 'cottage' or country villa, into which the architect, William Coverdale, has injected some Gothic Revival features. A.J. Downing's *The Architecture of*

Country Houses, published in 1850, may well have been an influence as well as the desire to provide a visual connection to St. John's Church, an inherently Gothic Revival structure. The simplicity of the symmetrical two storey, three bay limestone façade and features such as casement windows, a relatively unadorned main entrance and the French doors to the front veranda are hallmarks of the 'Regency Cottage' while the steeply pitched center gable, the round, slender veranda columns, exposed rafter 'lookouts' and, particularly, the paired quatrefoil blocks at the open veranda frieze establish a Gothic sensibility. The choice of architectural treatment may also suggest budgetary constraints. Built of local stone (there were a number of limestone quarries in the area at this time) the façade and side elevations are laid up in (mostly) regularly coursed ashlar while the rear is random rubble. The most regular stones have been selected for the quoins. The openings are cambered and formed of voussoirs, while the window sills at the original openings (all but the north bay) are wood (despite Coverdale's spec. calling for stone). The main entrance features glazed and paneled sidelights and a cambered transom as the surround for a fielded four panel door. The surround treatment is somewhat unusual in that corner lights at the transom are separated from the three central transom lights by a mullion which is the extension of the sidelight casing. The medium pitched hipped roof is pierced by the centre gable at the façade. The original sense of façade symmetry was extended to the brick chimneys extending from the main rooms which are equidistant from the centre gable while the large chimney for the kitchen hearth is located at the northwest. Coverdale's 'L' plan for the building allowed the reception rooms to be in the main section with the service functions provided at the stone rear 'tail' at the northwest and extended with a series of frame ancillary structures further to the rear. Of these, the primary frame structure on stone foundation remains, accessed, as originally, through the kitchen. This plan also provided for a covered entrance to the kitchen at the inside corner of the 'L'. The 1869 Ordnance Plan shows this as an 'L' plan porch while the fire insurance maps from the late 19th and early 20th century indicate an enclosed shed along the south wall of the 'tail'. Toward the south corner of the rear elevation there are two notable narrow windows, one at each storey, which appear to be original (stone lintels in place.) Between 1869 and 1892 a large stone bay was added at the southeast corner providing further space for the parlour and a direct entrance to that room from Churchill Street. Its appearance is unusual in that there are no windows at the side elevations. As well there is a slight curve between the returned corners of the side walls and the angled sections leading to the entrance which speaks to the quality of the mason's work. A more typical window bay was added pre- World War II at the north elevation extending the dining room. Much of the interior remains intact. This includes the first floor centre hall plan and many of the key original features. The interior, like the exterior, is also characterized by decorative elements from a combination of stylistic traditions, but here the Gothic aspect is more greatly emphasized. Thus the pilastered elliptical arch at the main hall leads to a main stair with a Tudoresque octagonal newel and newel cap as well as a pendant extending down from the newel at the second storey. Surviving fireplaces are found throughout the building. At the main rooms of the first floor the wooden surrounds again reflect the Gothic motif with pointed arched panels at each pilaster and an applied shield type crest above. The surviving fireplaces of the 2nd storey are plainer with the more typical pilastered surround and mantel with moulded edge. The large brick cooking fireplace with cambered arch retains a brick hearth, bracketed mantel and remnants of an iron crane. The building eventually had hot water heating installed around the turn of the 20th century and the intricate, decorative cast iron radiator covers including motifs of squirrels and dolphins remain in place. The surviving interior doors are distinctive - featuring three panels, two vertical panels above a horizontal panel. Many retain original hardware including several examples of 'tortoiseshell' knobs. The surviving wood windows are also generally intact again with much original hardware including pulls, hinges and several with cremone bolts. Original wall and floor finishes survive in several areas. The layout of the circle drive at the front is an important element of the property.

Historical/Associative Values

176 Mowat Avenue is of historical/associative value because of its direct associations with a theme, an event, several persons and organizations significant to the history of Kingston. It also demonstrates the work of the important Kingston architect William Coverdale. 176 Mowat Avenue served for many years as the rectory for St. John's Church, and is closely associated with the development of Portsmouth Village, the expansion of the Anglican Church in the Kingston area and a number of prominent Kingstonsians.

In 1841 Richard Scobell, prominent Kingston merchant and landowner (speculator), purchased 40 acres in the east half of Farm Lot 18 and subdivided the property into village and park lots. The time was ripe for this initiative with Kingston having been named the capital of the Province of Canada and with Portsmouth Village thriving due to the growth of the penitentiary, the realization of the mercantile potential of the harbour and its prestigious location in close proximity to the Governor General's residence at Alwington Place. Park lot 1 (containing the Study area) was 4 acres, 2 roods and 4 square rods. Initially sold to 8 investors it was sold in 1843 to Sarah McKenzie for £140. Although the Land Records show the next transaction as being the sale of this full property to Mary G. Stewart of Belleville in 1866, there is a document at the Anglican Diocesan Archives under St. John's Church which shows the sale of 1/5 of an acre on village lot 1 (now lot 5) in the subdivision of Park Lot 1 to church warden William Wilson, church warden John Crookshank and church trustee Thomas Kirkpatrick (first Mayor of Kingston upon its incorporation in 1838) on December 12, 1855.

St. John's Church had been constructed in 1849 on land donated by Richard Scobell. The growing population of Portsmouth Village associated with the industries and institutions which had become established there had led to the decision to constitute a new parish for the Anglican Church. When Rev. Francis Dobbs arrived from Ireland in 1852 to become its rector (following William Macaulay Herchmer and Rev. Ephraim Patterson who shared duties, 1849-1851) he had to stay with his sister Harriet Cartwright while waiting for a Parsonage to be built. By April 1855 architect William Coverdale had completed drawings and specifications for the "Portsmouth Parsonage" and it seems to have been furnished and occupied by 1857 when the church paid the first insurance policy on the property.

The property which became the side yard for the Parsonage (now Lot 4) appears to have been donated by the Rev. William Macaulay Herchmer. A February 1853 report of an "Annual Meeting" indicates that the Reverend William Macaulay Herchmer actually donated the ground for the site of a parsonage house. It is possible that the property, which still has a defined swale through it, may have been found not suitable as the actual house site leading to the purchase of the adjacent lot to the south.

Rev. Dobbs officiated at St. John's and occupied the Parsonage until his death in 1901. Over that almost 50 year period he raised a large family there. During this time the Anglican community of Kingston included many influential figures and marriage between their families knit them ever more closely. Thus the Dobbs family included the Cartwrights (Rev. Robert Cartwright was his brother-in-law). His nephews thus included Sir Richard Cartwright (Cabinet Minister in the Mackenzie and Laurier administrations) and fellow minister Reverend Conway Cartwright, residing at *Hazeldell*, the fine stone home just to the northeast, during his chaplaincy at the Penitentiary. As well Richard Scobell was closely allied to St. John's Church as was Sir Alexander Campbell, law partner with Sir John A. Macdonald, and 'a Father of Confederation'. No doubt in the course of family/social interaction and/or church business these and other luminaries would have met at the Parsonage.

Prior to Dobb's death the appropriate legal arrangements were made to ensure that the building would be able to be used in perpetuity by the clergy of St. Johns. Since the Rev. Dobbs there have been 10 rectors who have lived at the site extending right up to 2008 when the decision was made to sell the property.

Up until well into the 20th century there were no other residences on Park lot 1. At some point the diocese came into the ownership of the full Park Lot 1 and in 1923 subdivided the property into 20 village lots (including the parsonage), ten to each side of Francis Street. The lots on the 'Parsonage Block' were sold in two waves, a first group in the 1920's and then in the 1950's while those on the western block were sold to one purchaser in 1941.

William Coverdale, one of Kingston's most important 19th century architects, had been the architect (originally master builder) for the Penitentiary (1834-1846) and was the architect for the city of Kingston at the time he took the St. John's Parsonage commission. St. John's Anglican Church has been attributed to him as well but, to date, this has not been confirmed. His work at the St. John's Parsonage combined Gothic Revival elements with the picturesque 'Regency' cottage style and was perhaps influenced by A.J. Downing's *The Architecture of Country Houses*, published in 1850.

Contextual Value

The property at 176 Mowat Avenue is of contextual value because of its role in supporting the character of Portsmouth Village and as a landmark for the area. Its location at the brow of the ridge overlooking the church seems to have been consciously chosen to represent the relationship of the rector to both the physical building and the spiritual welfare of its community. Thus the view between the church and rectory is extremely important; in particular, the general viewscape to the east over Garrigan Park from the 2nd storey of 176 Mowat Avenue is noteworthy. It is one of the earliest, and still one of the most prominent buildings along Mowat Ave., occupying an important corner location, which contributes to its landmark status. It is linked with *Hazeldell*, the Bickerton House (162 Mowat Avenue) and 51 Francis Street as representing the 19th century settlement pattern along Mowat Avenue. The juxtaposition of the former rector's home directly above the former penitentiary quarry also has continued resonance.

Character Defining Elements / Heritage Attributes

Physical/Design Attributes

- Eclectic architectural style, combining elements of the Regency Cottage and Gothic Revival within an otherwise restrained Classical composition.
- Construction of locally quarried stone.
- Main block with back wing plan.
- Façade composition, wooden windows, and central gable.
- Veranda design and decorative woodwork.
- Main entrance design, materials and fenestration.
- The building's fenestration and openings.
- Roof massing and chimneys.
- Interior elements including:
 - Gothic and Classical details (main hall arched openings, stair newels and pendants);
 - Fireplace openings and surrounds where present, and the kitchen fireplace with cambered arch, brick mantel and remnants of an iron crane;
 - Original wall and floor finishes where present;
 - Decorative cast iron radiator covers;
 - Original doors and door hardware where present;
 - Wooden windows and window hardware where present; and,
 - Centre hall layout on the first floor.
- The layout of the circle drive.

Historical/Associative Attributes

- Its association with St. John's Anglican Church.
- Its association with the development of Portsmouth Village, and the expansion of the Anglican Church in the Kingston area.
- Its associations with Richard Scobell, the Reverend Francis Dobbs, the Cartwright family, Reverend William Macaulay Herchmer and William Coverdale.

Contextual Attributes

- Its role in supporting the character of Portsmouth Village and as a landmark for the area.