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Office of the City Clerk



May 19, 2010

Ontario Heritage Trust
10 Adelaide Street East
Toronto, ON M5C 1J3

ATTENTION: SEAN FRASER, TEAM LEADER, CONSERVATION SERVICES

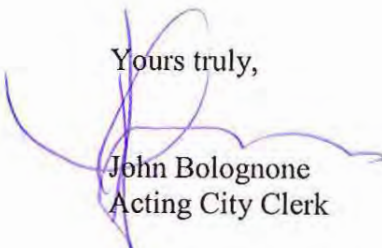
Dear Sir:

**RE: CITY OF KINGSTON – MUNICIPAL HERITAGE COMMITTEE (LACAC) –
APPROVAL – MAY 18, 2010**

I would confirm that Kingston City Council, at its regular Council meeting held on May 18, 2010, approved the Motion shown in the attached correspondence.

As required by the Ontario Heritage Act, and as requested by Marcus Letourneau, Heritage Planner, we are providing this information to you.

Yours truly,


John Bolognone
Acting City Clerk

/ki

Enclosure

Cc: C. Beach, Commissioner, Sustainability & Growth
K. Guy, Planner
M. Letourneau, Heritage Planner
S. Powley, Committee Clerk (KMHC)

File No.

The Corporation of the City of Kingston
216 Ontario Street, Kingston, ON K7L 2Z3

Phone: (613) 546-4291 ext. 1247

Fax: (613) 546-5232

cdowns@cityofkingston.ca



Office of the City Clerk

May 19, 2010

St. Lawrence College
100 Portsmouth Avenue
Kingston, ON K7L 5A6

**ATTENTION: PAIGE AGNEW, ASSOCIATE DIRECTOR OF CAPITAL
PLANNING & SUSTAINABILITY, FACILITY MANAGEMENT SERVICES**

Dear Sirs:

**RE: KINGSTON MUNICIPAL HERITAGE COMMITTEE - NOTICE OF INTENT TO
UPDATE DESIGNATION BY-LAW FOR 889 KING STREET W. (NEWCOURT HOUSE)**

I would confirm that Kingston City Council at its regular meeting held on May 4, 2010, approved the following resolution, being Clause 3., Report No. 67:

3. **WHEREAS** Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and,
WHEREAS the Ontario Heritage Act requires the Council of a municipality to service Notice of Intention to Designate a property as having cultural heritage value and interest; and,
WHEREAS when the Council of a municipality has appointed a Municipal Heritage Committee, the Council shall, before giving notice of its intention to designate a property, consult with its Municipal Heritage Committee; and,
WHEREAS the Kingston Municipal Heritage Committee recommended to Council to serve Notice of Intention to Amend the Designation By-Law for Newcourt House under the Ontario Heritage Act on November 2, 2009; and,
WHEREAS the Council of the Corporation of the City of Kingston approved serving Notice of Intention to Amend the Designation By-Law for Newcourt House on November 17, 2009, and the Notice was published in the Kingston Whig Standard on December 1, 2009; and,
WHEREAS no notices of objection were received;
THEREFORE BE IT RESOLVED THAT Council adopt the updated Designation By-Law under the Ontario Heritage Act for the property located at 889 King Street West (Part Lot 17 Concession 1 City of Kingston, Being Parts 1, 2, 3, 4, 5 and 6 on Plan 13R 19655, Being Part of PIN 36004-0397 (R)) also known as Newcourt House;
- and further -
THAT the draft by-law attached hereto as Exhibit 'A' be adopted;
- and further -
THAT the entry in the City of Kingston Heritage Properties Register for the property located at 889 King Street West (Part Lot 17 Concession 1 City of Kingston, Being Parts 1, 2, 3, 4, 5 and 6 on Plan 13R 19655, Being Part of PIN 36004-0397 (R)) be amended to reflect the updated designation of the property;
- and further -

...continued on Page 2

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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 to 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.

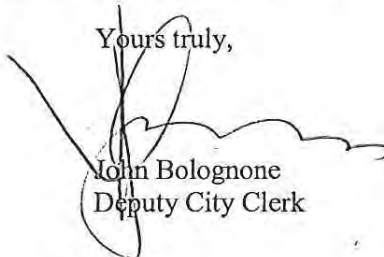
CARRIED

By-Law 2010-86 received First and Second Readings on May 4, 2010 and Third Reading on May 18, 2010.

Pursuant to the Ontario Heritage Act, I am enclosing herewith a copy of the proposed By-Law, which includes the statement explaining the cultural heritage value or interest of the property and a description of the attributes 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
Deputy City Clerk

/ki

Enclosure

Cc: C. Beach, Commissioner, Sustainability & Growth
M. Letourneau, Heritage Planner, Culture & Heritage Division
D. Stowe, Permit Supervisor, Building & Licensing
S. Powley, Committee Clerk (KMHC)
Ontario Heritage Trust (with copy of By-Law)

File No. P18

The Corporation of the City of Kingston

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BY-LAW NO. 2010-86

A BY-LAW TO AMEND BY-LAW NO. 9360A, "A BY-LAW TO DESIGNATE CERTAIN PROPERTIES WITHIN THE MUNICIPALITY TO BE OF HISTORIC OR ARCHITECTURAL VALUE OR INTEREST" (TO REFLECT THE CULTURAL HERITAGE VALUE AND INTEREST OF NEWCOURT HOUSE, 889 KING STREET WEST)

PASSED: May 18, 2010

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 889 King Street West, also known as 100 Portsmouth Avenue, do not meet current provincial requirements;

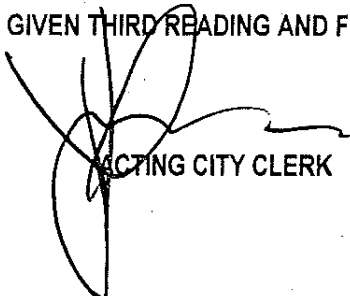
THEREFORE, the Council of The Corporation of the City of Kingston hereby enacts as follows:


1. That the area of heritage interest be limited to Part Lot 17, Concession 1, City of Kingston, being Parts 1, 2, 3, 4, 5 and 6 on Plan 13R 19655, being Part of PIN 36004-0397 (R), as described within Schedule 'A' of this By-Law.
2. That all references to 'Newcourt, St. Lawrence Grounds,' located in Schedule "A" of By-Law No. 9360A be deleted and replaced with the Schedule attached hereto entitled, "Newcourt, St. Lawrence Grounds"
3. For the purpose of interpretation, 'Maintenance' on 889 King Street West will include the following works:

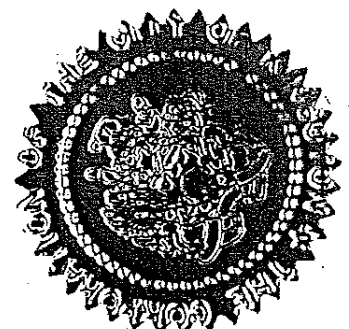
Maintenance is considered routine, cyclical, and non-destructive actions, necessary to slow the deterioration of a historic place. It entails the following actions: all works located outside the area of heritage interest that do not require approval under the *Planning Act* (Ontario); periodical inspection; 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; and repointing areas of wall space under 1.5 square metres;
4. For the purpose of interpretation, interior works will be considered as delegated to Heritage Staff in the Planning and Development Department for approval with the understanding that approval of said works must follow the process as outlined in Council's Delegated Authority By-Law No. 2005-227 or any successor thereto.
5. 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 'Newcourt, St. Lawrence Grounds' attached hereto and on The Ontario Heritage Trust.
6. The City reserves the right to install a designated property plaque or interpretive panel.
7. This By-Law shall come into force and take effect on the date of its passing.

GIVEN FIRST AND SECOND READINGS May 4, 2010

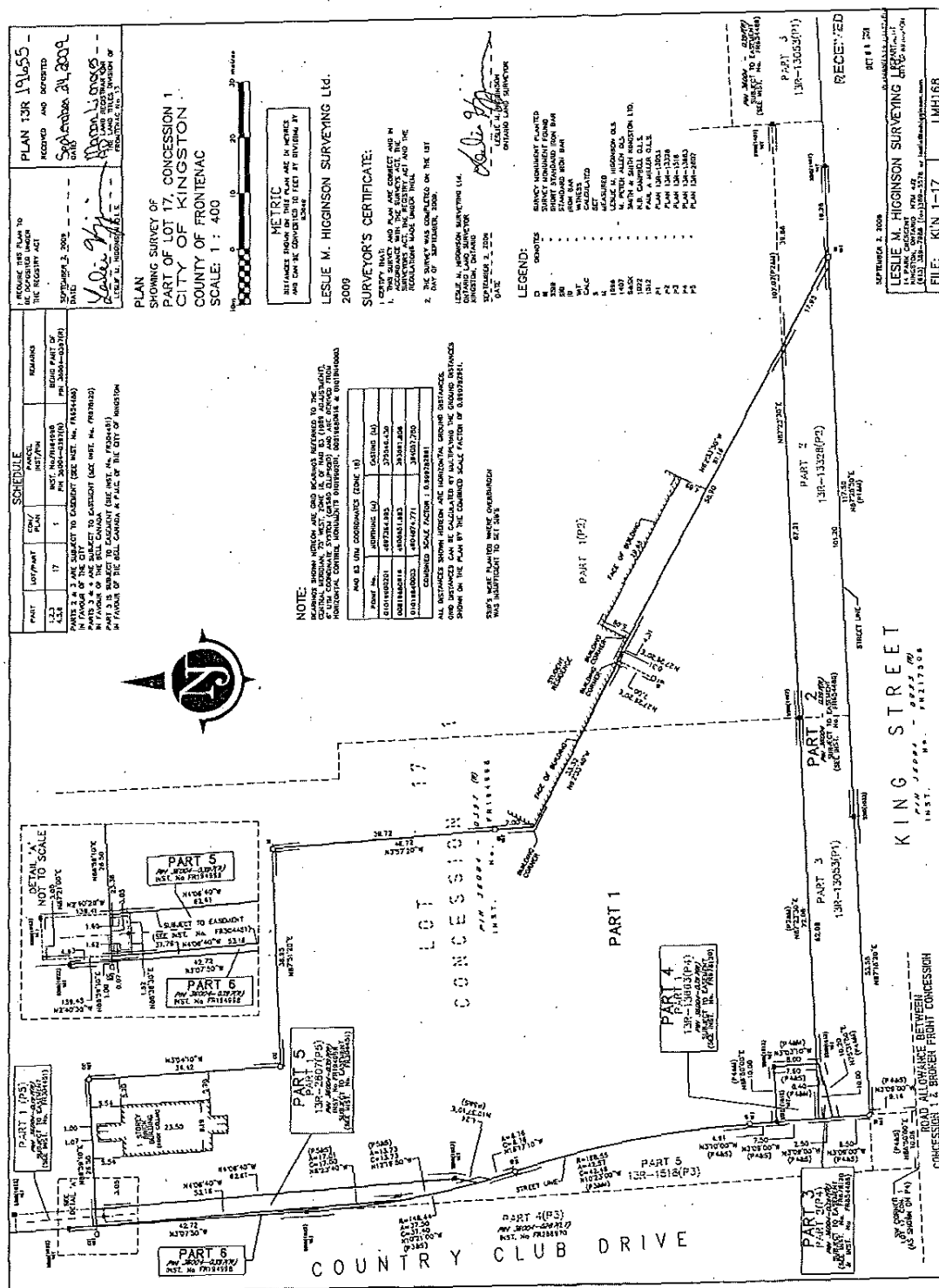
GIVEN THIRD READING AND FINALLY PASSED May 18, 2010


ACTING CITY CLERK


MAYOR



Schedule 'A'



“Newcourt, St. Lawrence Grounds”
Description and Reasons for Designation

Legal Description

Civic Address: 889 King Street West, also known as 100 Portsmouth Avenue
Lot/Concession: Part Lot 17 Concession 1 City of Kingston, Being Parts 1, 2, 3, 4, 5 and 6 on Plan 13R 13R 19655, Being Part of PIN 36004-0397 (R)

Description of Property

Newcourt House and its associated root cellar, located at 889 King Street West (also known as 100 Portsmouth Avenue), are of cultural heritage value and interest because of their combined physical/design features, their historical associations, and their contextual value. They are located on the St. Lawrence College campus, northeast of the intersection of King Street West and Country Club Drive. The design/physical value of Newcourt House derives from the fact that it is a Regency-style villa featuring a dominant front verandah, ample fenestration, a low-hipped roof above low and wide one-storey massing, and a roughcast exterior. The building has two large interior rooms with original plaster walls, partially-vaulted ceilings and inset, arched doorways, along with interior casings on the front windows. The physical value of the property is enhanced by a rare, partially-sunken, brick root cellar which is located behind the villa. Newcourt possesses historical value through its association with local and provincial persons and institutions, including: the Honourable Hamilton Killaly, prominent local merchant; William Wilson; and, the Ontario Psychiatric Hospital. Newcourt is a local landmark on King Street West that retains some elements of its original country setting.

Statement of Cultural Heritage Value/Statement of Significance*Physical/Design Values*

Newcourt House possesses design/physical value because it is a rare and representative example of Regency-style Canadian villas built between 1820 and 1850. A key feature of this design is Newcourt's dominant, three-sided front verandah with chinoise panels. This verandah surrounds a central front projection that extends south from the building's otherwise rectangular main section. A plain, low-hipped roof and wide, low, one-storey massing, are further characteristics of Newcourt's Regency style. The building's ample fenestration includes tall casement windows with off-centred vertical mullions, an over-sized front entrance, and French doors. Many of the windows retain their original glazing and hardware. Roughcast-over-stone walls provide a simple, unpatterned look suited to the building's design. Two irregularly placed stone chimneys reflect the interior living arrangements of the original owner. The front projection houses two large rooms with original plaster walls, partially-vaulted ceilings and inset, arched doorways. The interior casings of the front windows feature their original style of broad surrounds.

Newcourt's rare, partially-sunken root cellar retains most of its original brick exterior and interior. The interior brickwork forms a barrel-vaulted through-way corridor flanked by four vaulted storage rooms on each side.

Historical/Associative Values

Newcourt House and its associated root cellar, which are located in a small remaining section of a once larger cultural heritage landscape, have historical/associative value because of their direct associations with themes, persons, activities and institutions that are significant to the Kingston community.

Its historical value also stems from its association with the Honourable Hamilton Killaly during the brief period that Kingston was the capital of the United Province of Canada. Killaly was a canal engineer who immigrated to Canada in 1834. He became Justice of the Peace for London Township the following year. In 1838 he was appointed engineer for the Welland Canal Company. Two years later he was appointed Chairman of Public Works for Lower Canada, and was elected MLA for London in 1841. Newcourt House was built for Killaly in 1842.

It is also valued because of its important local significance due to its association with William Wilson. Wilson is a significant figure in Kingston history, having served as Justice of the Peace, President of the Board of Trade, Vice-President of the Provident and Savings Bank at Kingston, tax collector, and Director of the Bank of Upper Canada. Today Wilson is best known for his namesake building, which still stands at the corner of Wellington and Brock Streets in downtown Kingston. Wilson's acquisition of Newcourt was part of an important demographic trend that occurred in Kingston during the mid-nineteenth century. At this time, many local lawyers, politicians and businessmen sought to distinguish themselves by assuming permanent residence in prestigious country villas, typically built on large vacant lots. The lots themselves were key features of the overall properties, providing the contexts to which their architectural styles were matched. A small portion of Newcourt's original 44 acres still exists as a green space and an area of special interest in front of the main building.

Newcourt's historic value is further strengthened by the role it played in the Province of Ontario's early medical history. In 1887 the building and all of its 44 acres of farm land were sold to the Crown. It then became a part of Ontario's "Asylum for the Insane at Kingston," and was used to produce food for the entire local hospital complex. Newcourt's brick root-cellar building was an integral part of this operation. Its interior of well-preserved red brick walls form a central "through-way" corridor through which farm vehicles would have easily passed, after stopping to unload produce in one of the structure's arched vaults. In 1905 the villa was renovated and became a 32-bed residence for the Ontario Psychiatric Hospital.

The Kingston campus of St. Lawrence College acquired Newcourt, and 65 acres of adjacent land, in 1967. College buildings have since been erected on land available to the immediate north and east of Newcourt House.

Contextual Value

Newcourt House and associated root cellar possess contextual value because they are visually and historically linked to their surroundings. While the City of Kingston has expanded, much of the contiguous land maintains an open and spacious feeling. Its close proximity to Lake Ontario, which is visible from the property, is typical of the geographical placement of Regency cottages. Although a number of buildings belonging to St. Lawrence College have been built to the immediate north and east of Newcourt, its large front lawn, including several mature trees, helps to preserve some of its original country setting. It remains a landmark for people travelling on King Street West.

Character Defining Elements / Heritage Attributes

Physical/Design Attributes

- Early 1840s villa built with classic Regency-style characteristics;
- Prominent three-sided front verandah with chinoise panels;
- Wide and low-level, one-storey, massing;
- Low-hipped plain roof;
- Roughcast exterior;
- Limestone foundation;
- Ample fenestration with original hardware on many windows;
- Two large front rooms with original plaster walls, partially-vaulted ceilings, and inset, arched doorways;
- Front windows with original, broad surrounds; and
- Rare, partially-sunken root cellar with arched produce vaults on both sides of a central, barrel-vaulted through-way corridor.

Historical/Associative Attributes

- Built for the Honourable Hamilton Killaly, MLA, Welland Canal Engineer, and Chairman of Public Works;
- Purchased and occupied by William Wilson, prominent merchant and builder of the historic "Wilson Building" in downtown Kingston;
- Property used as a farm by Ontario's "Asylum for the Insane at Kingston," and used to produce food for the local hospital system; and
- Used as a 32-bed residence for the Ontario Psychiatric Hospital.

Contextual Attributes

- Large front lawn with some mature trees helps to preserve some of the villa's original country setting;
- Close proximity to Lake Ontario, visible from the property, reflects the locations preferred by owners of Regency-style buildings; and
- It exists as a landmark for people travelling on King Street West.

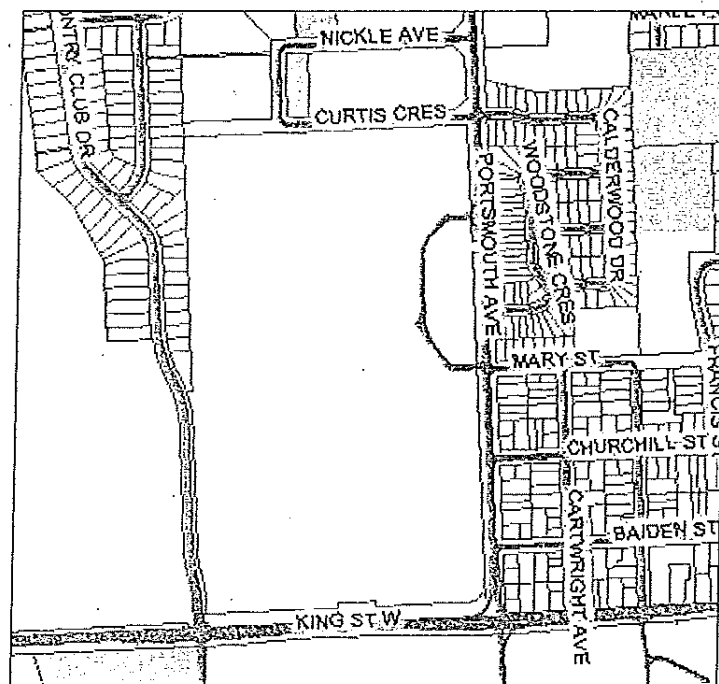


Figure 1: Location of Property

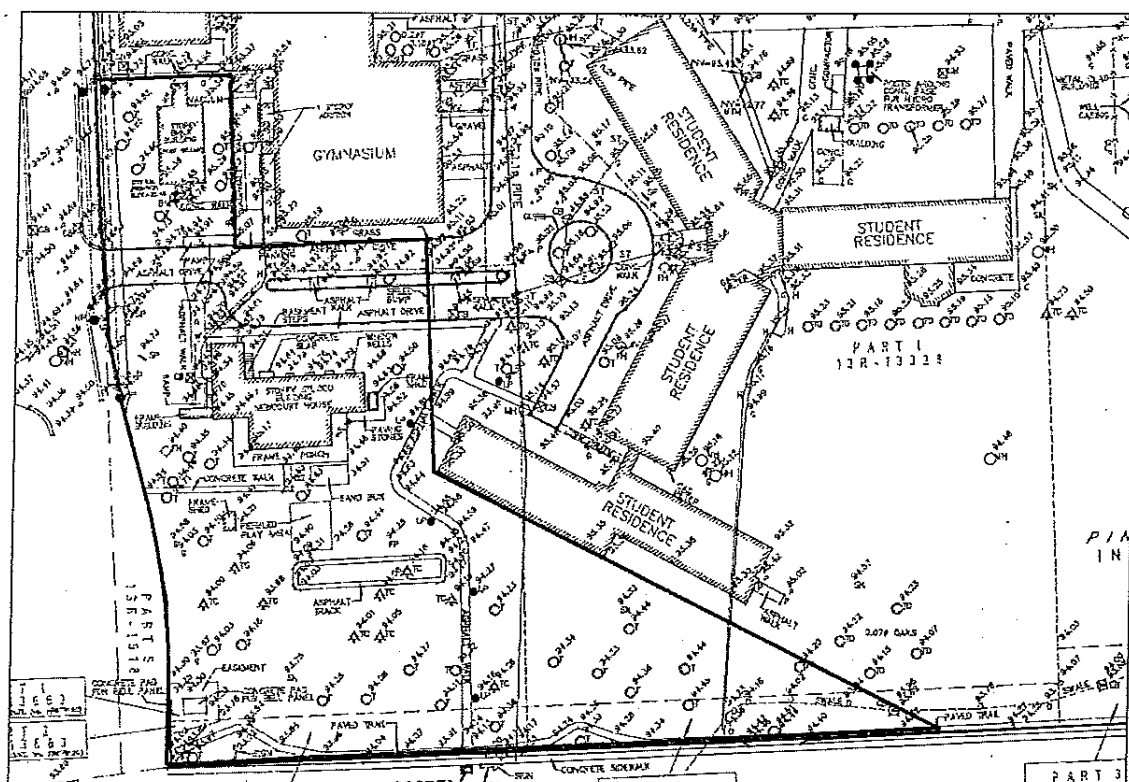


Figure 2: Extent of associated cultural heritage landscape

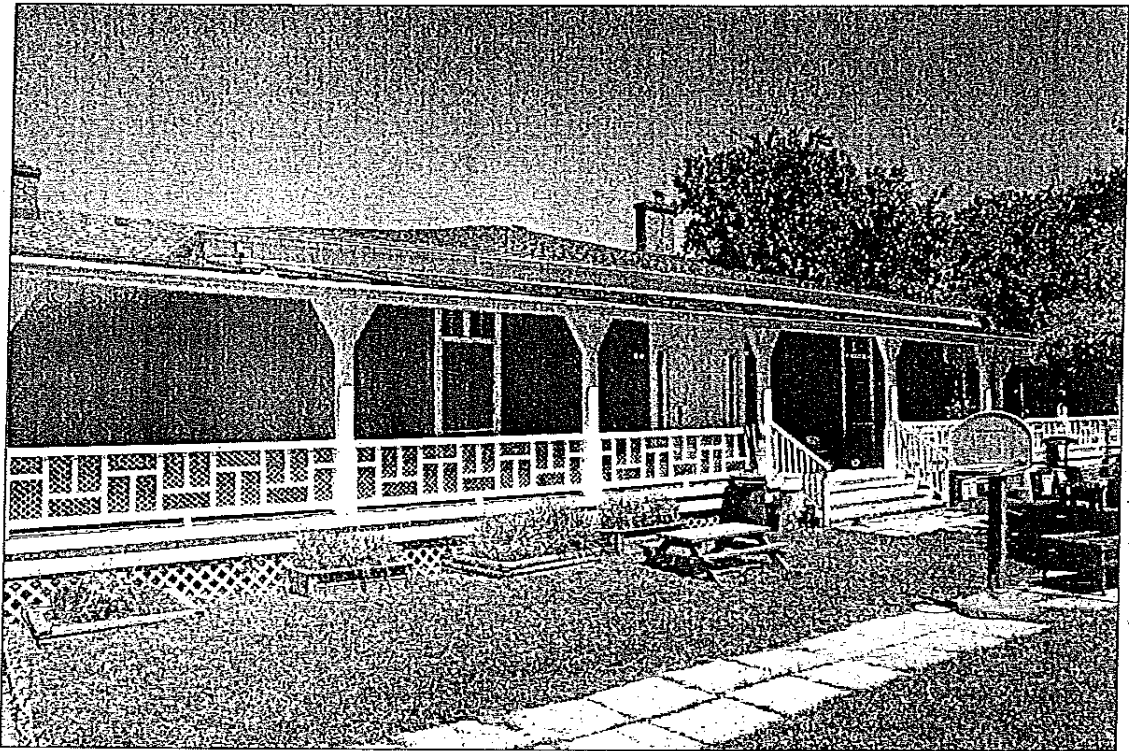


Figure 3: Newcourt House (2008)

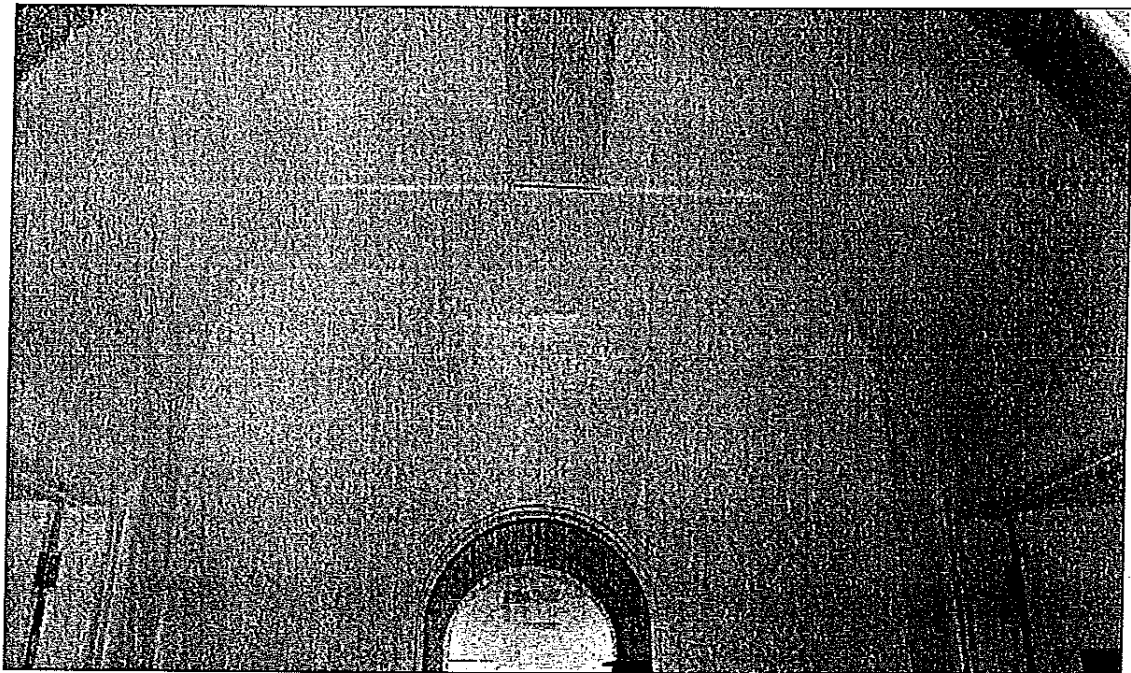


Figure 4: Interior of Newcourt



Figure 5: Root Cellar

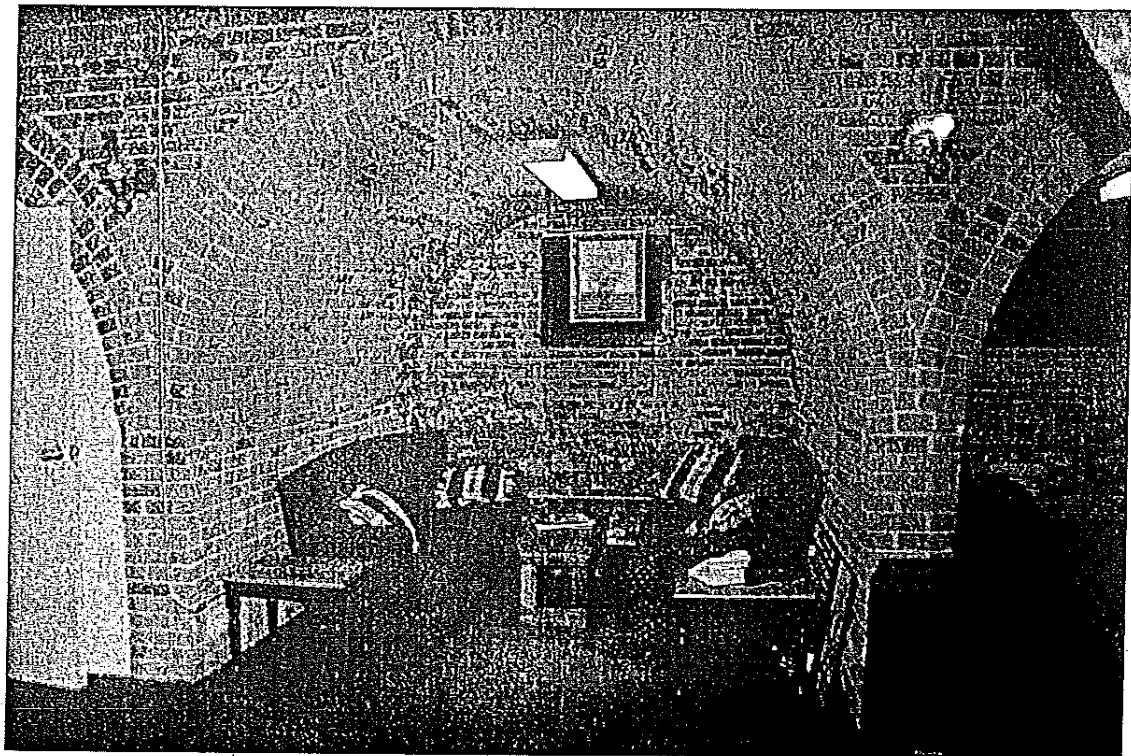


Figure 6: Interior of Root Cellar