BY-LAW NO. 2010-XXX

A BY-LAW TO AMEND BY-LAW No. 9360A TO REFLECT THE CULTURAL HERITAGE VALUE AND INTEREST OF NEWCOURT HOUSE (889 KING STREET WEST)

PASSED: , 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 document hereto attached 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.

CITY CLERK

MAYOR
“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.

Historically, Canadian villas built in the Regency tradition were popular among retired military officers who served in warmer regions of the British Empire, such as India, during the reign of King George IV. They illustrate a deliberate attempt to transplant an architectural style, familiar to them during their terms of service, from one part of the globe to another. Newcourt deliberately copies this style.

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 produced 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
BY-LAW NO. 2010-XXX

A BY-LAW TO DESIGNATE THE DENYES MONUMENT (PRINCESS STREET), TO BE OF CULTURAL HERITAGE VALUE AND INTEREST PURSUANT TO THE PROVISIONS OF THE ONTARIO HERITAGE ACT (R.S.O. 1990, Chapter 0.18)

PASSED: , 2010

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 Council has consulted with its Municipal Heritage Committee and has approved the designation of a property located at Part Lots 8-9, Concession 3; Part Road Allowance Between Concession 2 & 3, All Being Expropriation Plan 657, Expropriation Plan 868 as Widened by Expropriation Plan 1197, Expropriation Plan 1198, Part 1, Expropriation Plan 1431, Parts 1 & 2 Expropriation Plan 1453, Part 1, Expropriation Plan 1472, Part 3 13R-826, Part 2, 13R-6086, FR275816, Part 1, 13R-7983, FR114988, FR171331, Parts 5-9, Expropriation Plan 1388; Part Lot 8, Concession 2, being Part 1, RP490778, Part of Part 4, Expropriation Plan 1388; All lying W of the SLY EXT of the SW Corner of Part 3, Expropriation Plan FR652804 & E of the SLY EXT of the WLY limit of Bayridge Drive (formerly Cataraqui Woods Drive), aka the King’s Highway No. 2; Kingston Township PIN 36087-0388 (R) on XXX, 2009;

AND WHEREAS Notice of the designating by-law was published in the Kingston Whig Standard, which is a newspaper having general circulation in the municipality on December 1, 2009;

AND WHEREAS no notice of the objection to the proposed designation was served to the Clerk of the Corporation of the City of Kingston;

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

1. To designate as being of cultural heritage value and interest the following property in the City of Kingston:
   (a) Denyes Monument

2. The above mentioned property is more particularly described in Schedule “A” attached hereto.

3. For the purpose of interpretation, it is understood that the area of cultural heritage interest extends 3 metres in every direction of the monument’s base or to the limits of the real property, whichever is closer.

4. A copy of the Designating 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 Schedule “A” hereto and on The Ontario Heritage Trust and to cause Notice of the Passing of this By-law to be published in the Kingston Whig Standard.

5. For the purpose of interpretation, ‘Maintenance’ on this property will include the following works:
Maintenance is considered routine, cyclical, non-destructive actions, necessary to slow the deterioration of a historic place. It entails the following actions: periodical inspection; general property cleanup; and lawncare activities.

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.